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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

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GHANA

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FOREWORD

1. This report is the first to be submitted to the Committee on the Elimination of Discrimination Against Women (CEDAW) since the signing and ratification by Ghana of the "Convention on the Elimination of All Forms of Discrimination Against Women" in February, 1986.

2. The first section of the report provides some information on Ghana; the country submitting the report. It also discusses the position and status of women in Ghana. The purpose of this outline is to set the question of equality of the sexes generally and the specific provisions of the Convention against the historical, cultural and socioeconomic conditions peculiar to Ghana.

3. The sections which follow will take up the individual questions dealt with by each article of Convention. This analysis will make reference to:-

a) Pertinent legislation, including different systems of customary law operating in various regions, their effects on women, and the rights and disabilities of women under these laws;

b) The special measures taken to improve the position of women in all areas of society;

c) The problems and difficulties which have arisen in the course of implementing the various measures.

4. Efforts have been made to provide statistical data on all the issues referred to in the Convention. It might perhaps be useful at this point to note that it is difficult and sometimes impossible to collect the statistical data required by specific issues. This is particularly so for this first report which relies greatly on secondary data originally collected for purposes other than the monitoring of the Convention. Within these constraints, however, it has still been possible to provide a clear picture of the status of women in Ghana vis-a-vis the provisions of the Convention.

5. The report is long overdue, and any inconvenience the long delay might have caused is very much regretted. The very fact of the lateness of submission of the report is a reflection of the problems encountered in the attempt to produce a comprehensive report.

PART ONE

INTRODUCTION

1. Background information on Ghana

1.1 Geography

6. The Republic of Ghana lies almost in the centre of the countries along the Gulf of Guinea. Its southern coast extends between latitudes 4.5° north at Cape Three Points and 6.5° north in the extreme east. The country extends inland to about latitude 11° north, a distance of about 672 km, and lies between longitudes 3.07° west and 1.14° east. Ghana covers an area of 238,537 square kilometres and is bordered in the east by the Republic of Togo, beyond which are Benin and Nigeria. In the west it is bordered by Cote d'Ivoire and in the north by Burkina Faso.

7. The population of Ghana in 1987 was 13,391,076 made up of 6,603,848 males and 6,787,228 females with a population density of 52 persons per square kilometre. (GSS. 1988) Total population is currently estimated at 14.6 million. (GSS. 1989) In 1984 children between the ages of 0-14 years constituted 45.02% of the population. (GSS. 1984)

Table 1

Distribution by sex and age group (percentages)

AGE DISTRIBUTION OF THE POPULATION BY LOCALITY AND SEX (PER CENT)

	Locality							
	Accra		Other Urban		Rural		Country	
Age Group	Male	Female	Male	Female	Male	Female	Male	Female
0-4	7.8	5.8	8.3	7.7	8.9	9.5	8.6	8.7
5-9	7.1	7.9	7.7	8.4	8.6	7.8	8.3	8.0
10-14	6.2	7.0	7.0	7.1	6.7	6.0	6.7	6.4
15-19	5.5	5.0	5.5	5.4	5.5	4.6	5.5	4.9
20-24	4.3	5.0	4.1	4.7	3.6	4.1	3.8	4.3
25-29	3.6	4.6	2.8	3.9	2.9	4.0	2.9	4.1
30-34	3.4	4.7	2.7	3.3	2.5	2.7	2.6	3.0
35-39	3.3	3.6	1.8	2.4	2.0	2.0	2.1	2.3
40-44	2.6	1.4	1.5	1.9	1.6	2.0	1.7	1.9
45-49	2.3	1.5	1.8	1.5	1.4	2.0	1.6	1.8
50-54	1.4	1.6	1.6	1.6	1.3	1.7	1.4	1.7
55-59	0.9	0.6	1.1	1.0	0.8	1.4	0.9	1.2
60-64	0.7	0.4	0.6	1.1	0.9	1.2	0.8	1.1
65+	1.1	0.6	1.4	2.0	2.2	2.0	1.9	1.9
All	50.3	49.7	47.9	52.1	48.8	51.2	48.7	51.3
Sample Size	700	693	1893	2063	4953	5190	7546	7946

Source: Ghana Living Standards Survey. (GSS. 1989)

8. The annual growth rate of the country's population is estimated at 2.6%. (GSS. 1989b) The majority of Ghanaians live in rural areas. However the proportion of the population living in urban areas is growing, and these areas have high population densities. Between 1970 and 1984, the urban proportion of the population increased from 29% to 32%. (GSS. 1988)

9. In 1988 male/female population distribution in the rural areas was closer to the national average with 48.8% male and 51.2% female. (compared with the national average of 48.7 male and 51.3 female) In all urban areas except Accra (the capital), however, the proportion of males fell to 47.9% while that of females was 52.1%. (GSS. 1989b)

10. According to the Ghana Demographic and Health Survey (GDHS) declining mortality and comparatively high fertility have been the principal factors influencing rapid population growth in the 1970s and 1980s.

11. Another significant characteristic, in addition to increasing urbanization and higher percentage of female urban dwellers is the increase in female-headed households. In 1984 29.6% of rural and 35.8% of urban households were headed by women. (MOE/UNESCO/ UNDP, 1990)

12. There are numerous ethnic and language groupings in Ghana. According to the Language Centre, University of Ghana, and the Ghana Institute of Languages (1980) a total of 36 languages are spoken in the country. Other authorities cite even higher figures. However most of these languages are spoken by small groups of a few thousand. About ten languages, spoken by more than a quarter of a million speakers each, account for about 70% of the total population. (Ansah, 1986) Akans form the largest ethnic group (44% of the population) followed by the Mole-Dagbani (16%), Ewes (13%) Ga-Adangbe (8%) Gurma (4%) and Grussi (2%). (GSS. 1989a)

1.2 The general state of the economy

13. Ghana has a mixed economy with a small capital intensive modern sector focussing on mining and industrial activities. The large traditional sector is agricultural and made up of small farmers. (GSS. 1987) The country's main exports are cocoa, gold, timber, manganese, diamonds and bauxite. (GSS. 1988) The export of a range of non-traditional items is also being encouraged in order to broaden the country's export base.

14. The economy went through more than a decade of decline throughout the 1970s and early 1980s resulting in a fall in real incomes and living standards. "Large budgetary deficits and poor fiscal management resulted in high inflation and reduced living standards for large segments of the population. Over valued currency and a fixed exchange rate contributed to decreasing exports and periodic shortages of foreign exchange". (GSS. 1989a)

15. This situation was compounded by the acute food shortages of 1983 and 1984 which were exacerbated by the need to absorb into the country an estimated one million Ghanaians expelled from Nigeria in 1983. GNP per capita in 1981 fell to US$ 200, a third of its 1974 value, while real wages diminished by 80% and the value of imports fell by half. By 1983 inflation had reached 123%. (GSS. 1989a)

16. The launching of the Economic Recovery Programme (ERP) in 1983 was aimed at reversing this recession. The first phase of this programme aimed at stabilizing and consolidating the economy, and succeeded in restoring per capita income growth over three consecutive years for the first time in over a decade. GDP grew at an annual average rate of 6% between 1984 and 1988, and agricultural output increased from a growth rate of 0.04% in 1987 to more than 3% in 1988. The output of the industrial sector also recorded a growth rate of 10.3% in 1988, and by that same year inflation had dropped to 31%. (GSS 1989a) In 1987 World Bank estimates put the GNP at US$ 390.

17. In recognition of the adverse effects of adjustment on certain groups the Programme of Action to Mitigate the Social Cost of Adjustment (PAMSCAD) was launched in 1988 as a component of the ERP.

1.3 The political and legal system of Ghana

18. The highest authority in the country is the Provisional National Defence Council (PNDC) which is chaired by the Head of State, Flight Lieutenant J. J. Rawlings.

19. The various Ministries are headed by Secretaries of State who are responsible to the PNDC.

20. The country is divided into ten administrative regions which are further divided into a total of 110 districts. Each region is headed by a PNDC Regional Secretary. The highest political body in each district is the District Assembly with elected and appointed members responsible for decision-making in the overall development and smooth running of all state machinery in the districts. The District Assembly is headed by a District Secretary who works to his respective Regional Secretary.

21. The Ghanaian legal system is made up of the Superior and Inferior courts, the former comprising Supreme Court, Court of appeal and the High Courts and the latter made up of Circuit, Magistrate and Juvenile Courts.

22. In addition to these, in 1981 the PNDC government set up the Public Tribunals (PNDC L.78) to try certain specified criminal cases. This has taken some of the criminal load off the courts, and also Family Tribunals which take care of marriage and family problems. The government has also instituted Rent and Housing Committees. These, together with the Public Tribunals are governed by the rule of natural justice and complement the Superior and Inferior Courts.

23. The laws of Ghana include ordinances of the colonial administration, acts of parliament, decrees, rules and regulations, existing law (or customary law), common law, and laws passed by the PNDC government.

2. Women in Ghana

2.1 The status of women

24. In Ghana, women and men enjoy equal rights before the law and in both urban and rural areas women are actively involved in economic, social, and to a lesser extent political life. In the rural areas, they are mostly farmers, while in the urban areas they are traders and small scale business entrepreneurs. Official estimates put the percentage of the female workforce in agriculture at 55.9 with 24.0% in sales and 14.3% in production. (MOE/UNESCO/UNDP, 1990)

25. The impact of women's participation in all these areas is diminished by a number of factors. Women are concentrated in the small scale informal sector of the economy. The small proportion in formal wage employment tends to be confined to low-skilled, low-paying service and clerical professions. Strong traditional norms which place a high premium on women's reproductive role limit their ability to take advantage of the education and training which would enable them to enter the labour market at higher levels.

26. Women are however expected to be economically active. The need to combine their productive and reproductive roles limits them to areas of economic activity where this can more easily be done. (See Date-Baah, 1986)

27. The incidence of early and nearly universal marriage among Ghanaian women (due to the traditional values described above) result in high fertility rates. It is estimated that by the time the average woman is forty-five she will have had six children. (GSS. 1989a)

28. The double burden of repeated child bearing and the need to engage in tedious domestic and economic activities are important factors leading to poor health status among Ghanaian women. There is a high incidence of maternal mortality with haemorrhage, infection and toxemia being the three main direct causes of death. Although infant and child mortality rates are reported to be on the decrease, they are still at quite high levels, and the strong positive correlation that has been noted between mothers' education and child (age 1-5 years) survival (MOE/UNESCO/UNDP, 1990) gives force to the argument that education is an important factor in determining the well-being of women and their children.

29. In considering the above constraints, the overall economic situation must be borne in mind as a contributory factor. A study conducted by the Ghana Education Service among children aged 7-15 years found, for example, that parental poverty was the most important factor causing children to drop out of school. (GES. 1989) A study carried out by the Ghana National Commission in 1988 also indicated that financial reasons accounted for 31.5% of female dropouts and 54.6% of male dropouts.

30. The high incidence of malnutrition among women and children has also been linked to difficult living conditions - such conditions being even harsher in the northern parts of the country. Thus the Ghana Nutrition and Health Sector Review (1988) found that 65% of pregnant women in the north and 43% of pregnant women in the south showed signs of protein-energy malnutrition while among non-pregnant women the figures were 45% and 30% for north and south respectively.

31. It can be seen that with these constraints, the fact that women enjoy equal status with men before the law has little real impact on their lives. Traditional norms and economic conditions combine in a series of obstacles that combine to limit the extent and effect of women's integration in national development.

2.2 Governmental and Non-Governmental Institutions that promote and protect the advancement of women

2.2.1 The National Machinery and other Government Agencies

32. The National Council on Women and Development (NCWD) was established by government decree (NRCD 322) in 1975 as the official government machinery to ensure the advancement of women and their integration in national development.

33. Throughout most of its existence the Council has focused on projects to raise the income earning capacity of women, primarily through the introduction of simple technologies to raise production levels and reduce the drudgery of women's traditional income generation activities. In this area the NCWD has also provided training in subjects like simple management and accounting techniques for women in small scale industry.

34. In addition to projects the NCWD has undertaken research on all areas of women's lives in order to provide a basis for the recommendations which it was mandated to make to government by the decree establishing it. Studies have also been carried out on the suitability of technologies introduced to women. The Council also carries out counselling activities and carries out public educational activities on all aspects of the role of women in Ghana. In its activities the NCWD has benefitted from the generous funding provided by multilateral and bilateral organizations which provide technical and material resources for projects.

35. The current thrust of the NCWD's work is to integrate women's concerns into the policies, plans and programmes of key sector Ministries. This denotes a shift from project implementation to monitoring and coordination of activities while other activities undergo appropriate shifts in emphasis to support the above process. Work along these lines has only recently begun, but it is encouraging to note that important Ministries are increasingly taking the initiative in addressing the needs of women in the sectors they oversee.

36. The Ministry of Education, for example has embarked on new education policies to integrate girls more effectively into the education process where a 50-50 sex enrollment target has been set and a non-gender curriculum designed. In the agricultural sector women farmer's needs are met through the Women Farmers Extension Division of the Ministry of Agriculture. Women are a prime target of the Primary Health Care Programme which has the following priority areas: maternal and child-care, expanded programme on immunization and malaria control. Within PAMSCAD 40% of the funds allocated to small-scale industries has been allocated to women.

2.2.2 Non-Governmental Organizations

37. In addressing Women's issues the NCWD has benefitted tremendously from local NGO's like the 31st December Women's Movement whose efforts have complemented its own. There are various such organizations; they include professional groups, religious, cultural, charitable/service groups, work place ladies' clubs and market women's associations.

38. With a view to enhancing cooperation with these NGO's, the NCWD has embarked on an exercise to register them. It is expected that through this, linkages will be strengthened and communication improved in order that the NCWD can play an effective coordinating role as such organizations increasingly undertake the implementation of programmes for women.

39. Some of these NGO's are:-

- The 31st December Women's Movement which mobilizes women at the grassroots level for projects that seek to improve the standard of living of women. It also encourages women's increased participation in political life.

- The Young Women's Christian Association (YWCA) promotes the mental, physical and spiritual development of women and therefore empowers young girls and women to become dynamic forces in the development process. Main priorities are skills training to increase the earning capacity and leadership status to make women take charge of their lives and that of the families. It runs hostels for young women, canteens and day-care centres among others.

- The Ghana Federation of Women Lawyers (FIDA) has been promoting the principles and aims of the United Nations in their legal and social aspect and in promoting the welfare of women and children. They have also instituted a legal aid programme for women. They also organize series of educational seminars on legal rights of women and children.

- Other NGO's include:

  - The Federation of Ghanaian Business and Professional Women;

  - The Zonta Club of Ghana;

  - World Vision International Association for the Advancement for Women in Africa;

- Soropomist International Club; and
- various church organizations.

These have also promoted cottage industries through educational workshops and seminars.

40. In spite of the efforts of the above agencies - both governmental and non-governmental, the Ghanaian women's lot has not improved appreciably. As the report demonstrates a lot remains to be done to raise the status of Ghanaian women and ensure their full integration in national development.

3. The background to the signing, and ratification of the Convention by Ghana

41. Prior to the opening of the United Nations mid Decade Conference for the United Nations Decade for women held in Copenhagen from 14th - 30th July 1980 the then President, His Excellency Dr. Hilla Limann, authorized the leader of the Ghana delegation to that conference (Mrs. Justice Annie Jiagge) to sign on behalf of Ghana the Convention at the World conference on the United Nations Decade for Women in Copenhagen in July 1980. After the conference, the NCWD presented the document to Government in September 1980, and on 3rd October 1980, the then Minister for Foreign Affairs gave approval for necessary action to be taken for the ratification of the Convention by Parliament.

42. Two hundred copies of the Convention were circulated to policy makers and members of Parliament for their consideration. Unfortunately the Convention was not ratified before Parliament was dissolved in 1981. The NCWD therefore re-submitted another document and copy of Convention to the PNDC Government, through the Secretary for Foreign Affairs in August 1982, and a delegation of three NCWD Council members met the Foreign Affairs Secretary on 2nd September 1982 to discuss the issue. NCWD held several discussions with Members of Government and officials of law enacting agencies on the matter. Some traditional practices, it appeared, impeded the early ratification of the Convention. Finally, after further discussions, Ghana's Instrument of Ratification was deposited with the United Nations Secretary General on 2nd January 1986. The Convention came into force for Ghana on 1st February 1986, i.e. 30th day after the date of deposit of its instrument in accordance with article 27 (2).

43. It is significant to note that about the same time that the Convention was ratified, the PNDC Government also promulgated four laws aimed at addressing some aspects of culture which sought to legitimise cruelty and unfairness to women in the name of tradition PNDC laws on Intestate Succession, the Administration of Estates (Amendment) Law, Customary Marriage and Divorce (Registration) Laws.

44. Since Ghana ratified the Convention in 1986 a lot of significant changes have taken place. National experience in the implementation of the Convention has met with some progress as well as some obstacles.

PART TWO

THE IMPLEMENTATION OF THE CONVENTION IN GHANA

Articles 1-3

Policy and legal measures to eliminate discrimination and ensure full development and advancement of women

45. In Article 31 (2) of the 1979 Constitution of Ghana, the expression 'discrimination' was defined as:

> "affording different treatment to different persons attributable only or mainly to their respective descriptions by race, place of origin, political opinion, colour, sex, occupation or creed whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges or advantages which are not accorded to persons of another such description".

46. The definition of discrimination, generally applies to both men and women, though women are not specifically mentioned. However, in article 32 (1) provision is made for equal rights of mothers, spouses and children. The article states that:-

> "Where assistance, special care and facilities necessary for the maintenance, safety and development of a women as a mother are provided by or at the expense of the state, such assistance, special care and facilities shall be available to all mothers without discrimination".

47. It also provided that no spouse was to be deprived of a reasonable provision out of the estate of a spouse whether the estate was testate or intestate. These provisions have been upheld by the PNDC Government.

48. As reported in an ECA study (1984) successive constitutions since independence have stated the formal equality of men and women and have provided universal protection against discrimination. The suspended constitution of 1979 stated in its Directive Principles of State Policy that "the Government shall ensure by legislation that every citizen shall have equality of rights, obligations and opportunities before the law".

49. Article 31 (2) of the same constitution stated that "subject to certain laws and provisions dealing with adoption, marriage, divorce, devolution of property on death, or other matters of personal law, no person should be treated in a discriminatory manner by any other person acting by virtue of any law or in the performance of the functions of any public office or any public authority". As the study rightly points out the wide exceptions render this guarantee meaningless for women; "It is futile to give this guarantee while at the same time doing nothing further to remove the institution of polygamy and the systems of inheritance which discriminate so badly against women".

50. Against this critique the passing by the PNDC of laws on intestate succession, administration of estates and marriage and divorce registration marks an important achievement toward redressing the injustices done to women in this area.

Article 4

Temporary measures (affirmative action) to accelerate equality between men and women

51. The Government has not yet adopted any special temporary measures to accelerate de facto equality between women and men. The Law Reform Commission, and the Attorney-General's Department and FIDA are currently re-examining all civil codes, administrative regulations penal and communal codes etc. which discriminate against women or make women second rate citizens or minors with the view of making proposals to government for their repeal.

Article 5

Sex roles and stereotyping: social and cultural patterns leading to discrimination and to stereotyped roles for men and women

Cultural perceptions of women

52. In all the ethnic groups in Ghana, women are not considered the equals of men and this belief is reinforced by social practices and religious beliefs. Throughout Ghana a woman is considered in need of protection and is under authority and control of someone, usually male, throughout her life. (even if that person is her own son)

53. Before marriage a woman has a guardian, who may be her father, uncle, brother or aunt. Such guardians have unlimited rights over the woman and can demand her services and control her behaviour. A married woman is under the full control of her husband and is expected to obey him.

54. Ghanaian women are traditionally regarded as producers, both of human beings and of goods and services. Women are valued highly in society because of their reproductive functions. The more wives a man has, the more hands he has to help him in his work and the more children he is likely to have to assist him.[1] Women are therefore regarded as an asset to be acquired through an exchange of valuables. (DOWRY) In the present day where some men are unemployed, acquisition of a wife who trades is an asset.

55. The inferior status of women in society is further strengthened by the practices of polygamy, child marriage and widow inheritance. Women are taught to accept these through the socialization process, including their initiation rites.

56. In spite of the socialization process, many women see polygamy as negatively affecting the status of women. Wives have to compete among themselves to win the favour and affection of their husband, which leads to jealousy, frustration and hatred. It creates insecurity for the women and their children.

57. In all Ghanaian traditional communities, matriarchal or patriarchal, the position of women is extremely precarious. It is accepted by society that a wife has no rights to her husband's property, and whatever she has helped her husband to acquire belongs exclusively to him. (ECA. 1984) Thankfully the Intestate Succession Law is helping to redress the injustices suffered by women as a result of this. However many traditional rulers have refused to enforce this due to maternal inheritance to stool etc.

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1 It is significant that men in rural and urban areas, both educated and uneducated, consistently express the desire for a greater number of children than women do. (GSS. 1989)

58. Widowhood rites, another area where women suffered great cruelty have also been outlawed (where these rites involve acts of cruelty, indecency or immorality) through an amendment to the Criminal Code passed in 1984.

59. Not much has been achieved in the area of modifying social and cultural patterns of conduct of men and women, although educational programmes have been carried out through the media which speak out against outmoded customs and social prejudices against women. However unless women themselves fight against the widowhood rites the law alone cannot abolish it; as the perpetrators of these evil widowhood rites practices are women.

Article 6

Measures to suppress all forms of traffic in women and exploitation of prostitution of women

60. Prostitution is frowned upon by society generally, and women prostitutes are viewed as immoral persons. Prostitution is seen as one of the social evils which emanate from poor economic situations.

61. Prostitution per se is not an offence. There are however prostitution related offences like soliciting, importing etc. Sanctions such as imprisonment up to a maximum of three years, unless otherwise specified, exist for such an offence.

62. Ghana has legislation which seeks to prevent traffic in women and girls. Any person committing such an offence is prosecuted. Both men and women are penalized in all offences related to prostitution. Vigilance is needed to fish out and punish the women and men who trade in young women to other countries.

63. Other measures include educational programmes. For example in 1980 the National Council on Women and Development spearheaded a national consultation on prostitution. Following the consultation, many of the recommendations presented to the Government are being implemented. These include the recommendation that "the country's economy should be strengthened and job opportunities created especially for the benefit of young people since social evils emanate from poor economic situations".

64. The child maintenance decree of 1977 is also under review with the aim of making it more workable and beneficial to women and children, and thus to remove the need for women to resort to prostitution as a means of supporting themselves and their children.

65. Other educational programmes which aim at moral upliftment in the society have been organized by churches, NGO's and the NCWD.

Article 7

Measures to eliminate discrimination against women in political and public life

66. Legally, Ghanaian women are not discriminated upon in the political and public life in the country. They have in principle equal terms with men, the right to vote in all elections and public referenda and are eligible on equal terms with men for election to all public elected offices and assemblies. But in reality as a result of unequal development, between men and women in the area of education etc., women invariably are handicapped in participating fully in national development or in taking advantage of available opportunities. For instance, the majority of women shy away from active involvement in political life either because they have been saddled with child rearing and home management responsibilities and have little time left, or because of the traditional manner in which women have been socialized. Thus women who try to be in politics are labelled as 'too forward' or 'masculine' or given names which deter them.

67. Again, women do not fully participate in the formulation of government policies and the implementation thereof. Their participation is very minimal because there are only few women in decision-making positions and in Government to make any real impact.

68. In the Judiciary, few women have served as judges and magistrates. In 1982, out of 42 judges of the Superior Court, only three were women. In the Inferior Courts, out of 68 judges and magistrates only seven were women. (ECA. 1984)

69. In 1984 only 9.1% of persons serving on public bodies were women (MOE/UNESCO/ UNDP, 1990), as can be seen in the table below.

Table 2

Women in Public Bodies, 1984

Public Body	Total	Women	% Women
Government administrations	1,416	190	13.4
Managing directors	715	42	5.9
Legislative bodies	236	11	4.7
Other bodies	56	3	5.4
Total	2,423	246	10.1

Source: Based on Pandit, H.N et. al. Second Report on Social Demand for Education and Manpower Requirements for Economic Development of Ghana, 1989

70. Women constitute only 9.3 per cent of the total membership of trade unions in Ghana, and even in unions where they are more fairly represented, few serve in executive positions. Lack of union representation in executive positions badly weakens the ability of female employees to enforce the existing protective legislations and it is a measure of this weakness that special needs of women employees are not covered by the existing collective bargaining arrangement. According to crude figures of election results obtained from the Ministry of Local Government during the district level elections, in 1988, for both elected and appointed members to 110 District Assemblies, out of the 6,907 Assembly members only 460 (i.e. 6.6%) were women. Of these 460 Assembly women the vast majority were appointed rather than elected.

71. Since the ratification of the Convention participation of women in all aspects of public life is being encouraged. Women are being urged to take high positions in the organs of the revolution, at local regional and national levels and in other non-governmental organizations. Political conscietiousness of women has been intensified, by the 31st December Women's Movement, NCWD, and the CDR Secretariat. Awareness of women's political rights is being promoted through various channels, including formal and non-formal education, by NGO's the Trades Union Congress, FIDA, the media and the NCWD. The Trade Union improve participation of women within their ranks through leadership training seminars but more needs to be done on this level. The NCWD encouraging women through the various NGO's to help each other to exercise their right to vote, to be elected to public office and to participate in the political process.

Article 8

Measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of International Organizations

72. Women in Ghana have the right and the opportunity to represent the Government on an international level and to participate in the work of International Organizations. In the Foreign Ministry, few women have gone on postings outside Ghana as resident representatives, or foreign attaches.

73. Women have also been included in official delegations to participate in high-powered conferences, seminars and workshops. Women are given the opportunity and sponsored by Government to participate in major international seminars, workshops and conferences relating to women in development. It must however be emphasized that there is much room for improvement for example Government delegations must include women in the media. (as they include media men)

Article 9

Measures to ensure the equal rights of women with men to acquire, change or retain their nationality

74. The Ghana Nationality Act specifies who is entitled to citizenship. In Ghana, marriage to a foreigner does not lead to a loss of citizenship except where the marriage is dissolved, the citizen who lost citizenship by virtue of that marriage reverts to Ghanaian citizenship. There are provisions for women to acquire citizenship by marriage to a Ghanaian male. According to both the Ghana Nationality Act and the suspended 1979 Constitution, a woman married to a citizen and where such a marriage is annulled then citizenship can be annulled.

75. "The Nationality Act makes no direct provision for a man married to a Ghanaian woman to be registered as a citizen". However, by the provisions of the suspended constitution, a man married to a woman who is a citizen of Ghana could make an application to be registered as a citizen where the marriage was contracted under a monogamous system of marriage, had subsisted at the time of the application for a continuous period of not less than five years, and where the applicant was permanently resident in Ghana.

76. Since the constitution was the fundamental law, and prevailed over any other law, or enactment inconsistent with it, this provision became the law. With the suspension of the 1979 constitution, this provision is no longer in force, but it was obviously discriminatory, even though the constitution declared such provisions as not offending against the non-discrimination provision. Although the intention of the framers was supposedly to protect Ghanaian women from foreigners marrying them in order to take advantage of liberal citizenship laws, it merely served to reinforce the image of women as being incapable of looking after themselves. (ECA. 1984)

Article 10

Measures to eliminate discrimination against women in education

The education system in Ghana - historical background

77. Formal education, as was introduced to the then Gold Coast, now Ghana, was aimed at "the children of chiefs and the rising class of wealthy merchants, traders and professionals". At

first, education was mostly in the hands of the Wesleyan, Basel and Catholic Missionaries, but later, the colonial government established some schools and also gave grants-in-aid to the missions to run their schools.

78. The Education Ordinances of 1852, made reference to girls and thought it "essentially necessary that some effort should be made to educate the rising generation of females". Most missions sought to educate young women to be fitting companions for the rising crop of educated young men, but for every 100 boys that the Wesleyans admitted, there were only 11 girls while the Basel mission had 59 girls to every 100 boy, and the Catholic school 28. Marriage was the main goal and stress was placed on behaviour and "feminine" skills such as needlework, crochet and cookery. These attitudes were reinforced by most parents, who did not see the need to educate girls and wanted their services at home. As a result, few girls commenced education and even fewer continued.

79. The spread of education throughout the Gold Coast was limited by colonial interests and finance. There were wide regional variations. The Colony, with 55 per cent of the population had 90 per cent of the pupils, Ashanti, with 20 per cent of the population had 9 per cent, and the northern territories, with 25 per cent of the population had less than 1 per cent in school.

80. By 1951, when self-government was achieved, the Gold Coast had approximately 2,500 primary schools with 234,000 pupils, 500 middle schools with 66,000 pupils, 60 secondary schools with 6,900 pupils, 20 teacher training colleges with 1,900 students and 41 technical institutions with 1,800 students. The University College of the Gold Coast enrolled some 300 students at the beginning of the 1951/52 academic year. (ECA. 1984)

81. As far as Ghana is concerned, the history of making concrete attempts to relate educational development to population dynamics could be traced to the UNESCO Conference held in Addis Ababa in 1961. The Conference which brought together Ministers and Secretaries of Education in Africa, including Ghana, adopted the following goals and targets for period between 1961 and 1990:

1. By the end of the decade, i.e. 1970, 71 per cent of primary school age children should be in school;

2. By 1970 enrollment figures in the second and third cycle schools should move from 9% to 15% and 0.35% to 0.55% respectively;

3. The proportion of the GNP spent on education would be increased from 5.78% to 6.96% i.e about 7% annually by 1970; and

4. There should be steady and rapid movement towards universal primary education by 1980.

82. These goals and targets constituted the foundation for the launching of Ghana's Accelerated Development Plan of 1961 which established fee-free and compulsory primary and middle school education for all children of school going age.

83. "The Education Act of 1961 gave legal effect to the government's decision to make education compulsory. It provided that "every child" who has attained the school going age shall attend a course of instruction in a school recognised for the purpose". Any parent who failed to comply could be fined up to ten pounds. The policy was fee-free, and by October 1963, the government had begun supplying free textbooks to primary and middle school pupils.

84. Most of the private middle schools were taken into the public system, and at the same time government assumed responsibility for paying all teachers' salaries. (ECA. 1984)

Educational reforms

85. As far back as 1973 the government of Ghana recognised the need for educational reform. The need was based on the realization that for any education to be appropriate and meaningful, it should aim at serving individuals and the society in which they live and the country as a whole.

86. It was therefore felt that the system of education should instill in individuals the appreciation of the need for change directed towards the development of the human resources of the country. It must also generate in individuals an awareness of the ability of human beings, using the power derived from science and technology to transform their environment and improve upon the quality of their lives. (Amoyaw, 1990)

87. Specifically the most important reasons for educational reform were identified as follows:

1. It was felt that although the government had the policy that it is the basic right of every Ghanaian to be able to read, write and function usefully in society, the existing formal educational system made it difficult for this right to be enjoyed;

2. It was felt that although the participation of every Ghanaian was important for the development of the country, most Ghanaians were cut off from such participation because of their low educational levels;

3. The reforms were further intended to inculcate in Ghanaians a proper sense of cultural dignity and identity;

4. The existing system of education was considered to be unadapted to the development needs of the country; because schooling was of the wrong type, there were many people who came out of the education system and could find no work to do, and yet there were many important jobs for which no-one was being trained. It was therefore felt necessary to give people an education that would improve their lives and develop the nation. Such education was considered to be as important for adults as for children. The new system was therefore to be so organized as to make it possible for those who didn't have a chance to attend school fully to re-enter the formal system later on or improve themselves non formally.

88. Several economic and social problems delayed the full implementation of the reform programme until 1986. In that year it was decided that the programme be implemented for September 1987. (Amoyaw, 1990)

89. Under the reformed system the length of pre-university or pre-tertiary education was shortened from 17 years (six years primary, four years middle, five years secondary and two years sixth form) to 12 years as follows: six years primary, three years junior secondary and three years senior secondary school.

90. The nine years of basic education (under the reformed system), can be terminal or continuing; that is, after junior secondary school, leavers can enter into senior secondary schools or post basic training institutions like the technical institutes.

91. A significant feature of the reform is the emphasis on training in skills of various kinds, which begins very early and can be persued to the highest level.

92. At all levels, primary, junior secondary and senior secondary; science, mathematics and related subjects are stressed. For example, at the primary level, the foundation for the development of manipulative skills is laid. The subjects in the curriculum which help to achieve this are mathematics, science, agriculture, life skills, physical education, English, Ghanaian languages and social science.

93. At the junior secondary level, the aims and objectives are, among other things, to help the pupils discover their aptitudes and potentialities, appreciate the use of the hands and the mind, make them creative and production oriented, and understand their environment. Additional subjects like technical drawing, pre-technical skills and pre-vocational skills are introduced. In order to cater for the various interests developed at the junior, secondary level, the senior secondary school base has been greatly broadened to include the following programmes:

- Vocational;
- Agriculture;
- Commercial;
- Technical;
- General.

94. Thus, formal emphasis on mere academic training is now reduced in order to make room for types of training which contribute directly to the satisfaction of critical labour requirements.

95. The modernization exercise is also meant to affect the tertiary sector. It is therefore proposed that the tertiary system of education will consist of three main groupings as follows:

- Universities and University colleges;
- Polytechnics;
- A unified comprehensive college system which groups other tertiary institutions, training various professionals e.g. teacher training. (Amoyaw, 1990)

96. The educational reforms involve four major changes:

a. Changing the structure of the educational system from the current statutory 17 years to 12 years as described above, to provide basic education to every Ghanaian child;

b. Increasing access to education

So many children of school going age (up to 43%) are not in school. Steps are therefore being taken to encourage communities to build schools through self help. The Government has already begun to distribute new books written by Ghanaian experts and teaching equipment to primary schools. It is envisaged that with the introduction of double shift system in all existing primary schools, enrollment of children of school going age will increase significantly.

Junior secondary schools which are an integrated part of the Basic Education Programme, will also help a great deal to increase the number of young Ghanaians who have the opportunity to be exposed to high quality education.

The junior secondary schools are being sited in the present middle schools. It is expected that given the opportunity, 50% of all those completing Junior Secondary Schools will enter Senior Secondary Schools which will offer a wide variety of opportunities in basic academic subjects as well as in technical, vocational, and agricultural specializations. The reforms also make provision for 25% of those completing senior secondary school to enter tertiary institutions. These consist of all post secondary training, nursing, banking, and agricultural institutions, polytechnics and universities.

c. Improving content relevance and efficiency of education

The curriculum for basic education, that is from primary class one to junior secondary school form 3, has been carefully designed to give the pupil basic information about the world in which he or she lives. While pupils will not be given professional courses at this level, they will be given the skills that will familiarize them with technology, science, and various vocational courses and they will also be imbued with the confidence to begin to adapt what they learn to their environment. The curriculum for the junior secondary school includes academic as well as pre-technical and pre-vocational courses. Pupils will be given a good grounding in the positive aspects of Ghanaian and African culture. The curriculum will also give them the basis for awareness in the areas of health and environmental protection. These courses will be backed by a carefully integrated programme of using the practical experience of community experts.

d. Teacher training itself is being re-directed so that teachers are given skills to impart the art of enquiry and problem-solving. Intensive in-service training has been provided as from March 1990 for teachers who have already been trained. Steps are also being taken to improve Teacher Training Colleges and attract more highly qualified people into teacher in all subjects on the Basic Education Curriculum.

Suitable books and syllabuses have been developed for primary and junior secondary schools, to be used to impart the required knowledge and skills.

97. At this point, an overview of the general situation of women in education is useful before examining the ways in which the educational reforms specifically address the needs of women.

Women in formal education

98. As already noted it is a policy of government that education is a basic right of all, and the reforms described above are intended to transfer that right into reality. A look at the educational statistics not only illustrate why such reform is necessary but clearly shows that women's needs for education are particularly acute.

99. Between 1960 and 1975 women increased their share of enrollment in almost all areas of education with the exception of commercial education, where percentage enrollment actually decreased between 1966 and 1975. (see Table 3) However, the rate of increase was extremely slow and it was only in primary and middle school that female enrollment reached 40% and above.

Table 3

Percentage female out of total enrollment in primary, middle, secondary, teaching commercial, technical schools and universities, 1960-1975

Year	Primary	Middle	Secondary	Teacher Training	Comm.	Technical	University
1960-61	36.21	N/A	22.02	30.63	N/A	-	-
1961-62	38.31	30.0	23.33	25.84	-	-	6.01
1962-63	39.87	33.87	23.44	28.22	-	6.01	7.02
1963-64	41.49	34.11	22.87	31.21	-	12.55	8.12
1964-65	42.91	36.38	24.76	32.16	-	9.95	9.44
Mean	39.76	33.59	23.28	29.61	-	9.51	7.65
1965-66	43.81	35.23	25.81	29.82	-	9.52	9.59
1966-67	44.38	34.91	25.44	-	43.12	10.27	9.66
1967-68	44.45	41.53	25.75	-	40.49	12.55	9.93
1968-69	44.43	42.54	25.38	-	36.13	10.74	9.95
1969-70	44.27	42.75	25.46	-	38.89	14.99	10.97
Mean	44.27	42.75	25.46	-	38.16	11.81	10.02
1970-71	44.35	39.69	26.89	30.89	29.25	17.05	13.11
1971-72	44.34	39.43	26.53	30.97	3039	15.54	12.48
1972-73	43.92	41.23	26.47	33.42	30.01	15.51	11.75
1973-74	43.54	41.19	27.65	34.93	31.51	11.28	12.82
1974-75	43.66	41.36	28.23	35.95	32.53	11.63	12.54
Mean	43.96	40.58	27.03	33.23	31.25	14.25	12.54

Source: Law and the Status of Women in Ghana. ECA, 1984. table 2.

100. Although the percentage share of females in technical and university education doubled during the period, it only resulted in women forming 14.21% of technical and 12.54% of university students. In 1984 the picture was not much different. As can be seen in Table 4, the same trends continued, with only slight increases all round.

101. Although Table 4 shows that for both men and women enrollment figures decline sharply after primary school, drop out rates are much higher for girls than boys. As mentioned in the introduction an important reason for this is financial. Between the age of seven and twenty-four years, female workforce participation exceeds that of males (see Table 5) and the difference is greatest in the age group 15-19 years where female educational participation begins to decline sharply.

Table 4

Distribution of students by type of institution and sex, 1984

Type	Male	Female	Total	% of Female Total
Primary	990,620	842,994	1,833,614	46.0
Middle	383,811	271,627	655,438	41.4
Secondary	112,122	55,004	167,126	32.9
Vocational Training	10,787	7,381	18,168	68.2
Commercial and Technical	23,186	11,123	34,309	32.4
Teacher Training	8,669	6,814	15,483	44.0
Universities	6,407	1,301	7,708	16.9
Total	1,535,601	1,196,244	2,731,845	43.8

Source: Strengthening Educational Planning MOE/UNESCO/UNDP 1990, table 2.13

Table 5

Workforce participation rate by broad age group and sex, 1988

Age group	Male	Female
7 - 14 years	10.4	12.3
15 - 19 years	25.0	36.1
20 - 24 years	61.1	62.6
25 - 44 years	83.1	74.5
45 - 54 years	83.7	77.3
55+ years	72.6	57.8

Source:Strengthening Educational Planning MOE/UNESCO/UNDP, 1990, table 4.4.

102. According to one researcher," ... it is not easy to sponsor children in secondary or tertiary institutions. Where there is a choice to be made between the training of female and male, preference is in most cases given to the latter. The fact that many parents are not able to afford education for their daughters after the first cycle partly accounts for the many teenage pregnancies in recent times". (Amoyaw, 1990)

103. At higher levels of education, where male and female areas of specialization are clear, there is a tendency for girls to concentrate on arts and social science courses. In the 1985/86 academic year at sixth form level, girls formed 25.6% of arts students, 11.8% of business and 11.2% of science students. In technical institutions in 1984/85 and 1988/89 enrollment of girls in full-time programmes was about one per cent, and the tendency was for girls to pursue "traditional" courses like Business Studies, Fashion and Royal Society of Arts. (Amoyaw, 1990)

104. Figures for the National Vocational Training Institute, Kumasi, between 1984 and 1989 show that out of 251 students enrolled over the period only nine were girls, and of these, four did not complete their training. Dropouts included the only female who enrolled in the Auto Electrical Engineering Course.

Table 6

Enrollment at National Vocational Training Institute

Course	1984-85		1985-86		1986-87		1987-88		1988-89	
	M	F	M	F	M	F	M	F	M	F
MVBM	20	-	19	-	19	-	13	-	36	-
MVBR	11	-	8	-	4	-	5	-	13	-
AE	12	-	6	-	4	-	8	-	18	1
MF	-	-	2	-	3	-	3	-	4	-
WF	-	-		-		-	-	-	-	-
P &	-	3	-	-	-	-	-	-	22	1
C	-	3	-	-	-	-	-	-	22	1
Total	43	6	35	-	30	-	29	-	115	3
Drop out	-	1	-	-	-	-	-	-	3	3
Teachers	9	-	9	-	9	-	9	-	9	-

Source: Doris Amoyaw, Increasing the Participation of Women in Technical Trades Training and Occupation in Ghana, table 8.

Abbreviations:

MVM:	Motor Vehicle Mechanics	MF:	Maintenance Fitting	AE	Auto Electrical
MVBR:	Motor Vehicle Body Repair	WF:	Welding and Fabrication	P & C	Printing and Composing

Table 7

Comparative enrollments, University of Science and Technology

Faculty	1984-85			1988-89		
	M	F	Total	M	F	Total
Agriculture	217	25	242	234	27	261
Environmental and Development Studies	207	37	244	228	20	248
Engineering*	760	14	774	837	13	850
Sciences	533	97	630	527	115	642
Social Sciences	337	126	463	395	205	600
School of Medical Science	139	32	171	169	54	223
Institute of Renewable and Natural Resources	78	10	88	103	9	112
Total	2271	341	2612	2493	443	2936

* Includes Institute of Mining and Engineering for 1988 - 1989.

Source: Doris Amoyaw, Increasing the Participation of Women in Technical Trades Training and Occupations in Ghana.

105. Figures for the University of Science and Technology for the 1984/86 and 1988/89 academic years showed that although female enrollment increased over the period, most female students were concentrated in the Social Sciences. (Table 7)

106. Similar trends are evident in female areas of specialization at the university level generally, 1987/88, as shown in Table 8 below.

Table 8

Share of female enrollment in selected subjects in Ghana, at the university level 1987/88.

Area of specialization	Male	Female	Total	% Share of Female
Arts	356	97	453	21.4
L.L.B	31	7	38	18.4
B. Sc Administration	82	7	89	7.9
B. Sc Agriculture	41	6	47	12.8
B. Sc Home Science	0	3	3	100.0
Science	98	14	112	12.5
Medicine	35	6	41	14.6
Total	643	140	783	17.9

Source: Strengthening Education Planning: MOE/UNESCO/UNDP 1990, table 2.24.

107. In case of teachers the number of females decreases at the higher levels of education. This is not surprising, given the fact that few women obtain the amount of education required to teach at these levels. In 1987/88, 39.8% of primary, 25.2% of junior secondary school and 19.0% of senior secondary school teachers were female. In Vocational and Technical Training Institutions during the same period 11.6% of teachers were female, several of them untrained. (MOE/UNESCO/UNDP, 1990)

108. The table below highlights the extremely small numbers of female teachers at technical training level.

Table 9

Full-time teaching staff of selected Technical Institutes 1988-89

Institution	Male	Female	Total
Accra Technical Training Centre	44	5	49
Kumasi Technical Institute	98	11	109
Sunyani Technical Institute	52	4	56

Source: Doris Amoyaw, Increasing the Participation of Women in Technical Trades Training and Occupation in Ghana, table 10.

The reforms and elimination of discrimination against women - formal education

109. The new educational reforms seek to remove all forms of discrimination against girls in choice of subjects and future career. Both sexes are now being exposed to the same types of subjects and guided to make their own choices according to their proven ability.

110. Again, the reforms for basic and secondary education have made a radical shift in content by designing non-gender curricula to sustain the interest of both girls and boys in the new thrust towards greater exposure to technical and practical orientation.

111. At the senior secondary school levels, that is between the ages of 15 and 18, the curriculum is also non-gender based and encourages women to study all subjects. To further encourage this, the following measures are being taken:-

i) Instituting Science, Technology and Mathematics Clinics which are organized during the long vacation every year to encourage selected girls from upper secondary to study science-related professions;

ii) Giving girls studying science an advantage by relaxing admission requirements for borderline cases.

112. At the tertiary level a Universities Rationalization Programme has been drawn up, and some recommendations made by the Universities Rationalization Committee are, that:-

i) The planning and resources office of each tertiary institution work out a plan within the planned programme of expansion of each institution to ensure that male-female student ratio approximates to 50-50 within the next ten years and strictly monitor its implementation;

ii) A long term functional literacy campaign aimed in part at changing society's perceptions of women's role in society thereby eradicating cultural prejudices against education of women be embarked upon as a matter of urgency;

iii) More facilities be established specifically for female pupils and students to cope with the increased access for females, which would result from an introduction of compulsory and universal basic education to be enforced as a matter of urgency within the next five years; and

iv) Government might also wish to introduce incentives, which would encourage tertiary institutions to move rapidly to alter the sex ratio of their students, so that these institutions can attain the desired 50-50 ratio of the sexes more rapidly than the ten years stipulated. (cited in Nautiyal and Pandit, 1990)

113. Apart from the above reforms, the Ghana Education Service (GES), the Department of Social Welfare, the 31st December Women's Movement and a number of non-governmental organizations and individuals are addressing the issue of increased female enrollment by making a concerted effort to set up creches, day-care centres and nurseries throughout the country. This is to encourage mothers to send their young ones there to enable their daughters, who had hitherto worked as baby sitters, to go to school. This is expected to increase primary female enrollment.

Adult education and literacy programmes

114. The Ghana Living Standards Survey (1989) reveals that women are characterized by a high incidence of illiteracy as many as 76.6 per cent women are illiterate. (they lack the ability to read and write) In the rural areas this rises to 83.4%. Thus only 16.6 per cent of women in rural areas are literates whilst 35 per cent of men in rural areas are literates.

115. The absolute number of females aged 6 years and above who have never attended school increased from 2.1 million in 1960 to 2.6 million in 1984.

116. The region with the highest levels of illiteracy among females are northern (89.5), upper east (88.2), upper west (86.6). (GSS, 1989b)

117. There is a high incidence of dropouts in schools among females. 14.4 per cent drop out by the time they reach Primary class two, 36.1% drop out after class six and 30.6 per cent drop out before middle school form four. (Pandit el. al 1989)

118. As percentage of enrollment in Primary Class one only 0.7 per cent reach Lower or Upper Sixth form and only 0.4 per cent of females reach University. (1984 population census) Table 10, further illustrate literacy rate by age group and locality.

Table 10

Literacy rate by age group and locality (per cent 1988)

	Accra			Other Urban			Rural			Country		
Age group	M	F	T	M	F	T	M	F	T	M	F	T
9-14	33.7	34.5	34.1	16.8	14.2	15.5	16.8	14.2	15.5	11.8	10.4	11
15-24	87.1	72.7	79.9	67.5	46.2	56.8	51.9	29.1	41.1	59.4	38.5	49
25-34	93.9	71.1	81.3	73.0	43.0	56.1	54.9	29.1	40.5	64.2	37.8	49
35-44	79.3	47.8	84.9	69.5	32.7	48.6	49.3	15.0	31.3	58.1	23.3	39
45-54	66.7	31.7	51.1	61.4	10.4	26.4	34.6	7.4	18.8	40.2	10.0	23
55+	52.6	19.0	40.7	25.0	5.0	13.5	15.9	2.2	8.5	20.4	3.4	11

Source: Ghana Living Standards Survey (GLSS) 1989, p. 57.

119. Literacy rates are generally high for both sexes between ages 15-34 years, as the table shows but falls rapidly for women after that.

120. Rural-urban differences exist for all age groups. Table 11 presents the proportions of female enrolled by locality in 1988.

Table 11

Per cent of females in enrollment by locality and by level of education

Education	Accra	Other Urban	Rural	Country
Primary	52	47	43	45
Secondary	46	41	34	38
University	33	0	0	12
All	50	45	40	42

Source: Ghana Living Standards (GLSS) 1989, p. 59.

121. In view of the increasing concern that education should be functional, it is important not only to look at school attendance, but also at the rate of functional literacy. Results from the GLSS (1989) show that only about a quarter of all females in Ghana can read and write compared to more than 40% of males. Table 12 from the GLSS (1989) shows literacy and numeracy rates by locality and sex.

Table 12

Literacy and numeracy rates by locality (per cent) Ghana 1988

	Accra			Other Urban			Rural			Country		
	M	F	T	M	F	T	M	F	T	M	F	T
Read	78.5	61.8	70.1	52.4	31.4	41.3	37.7	18.3	27.7	45.5	25.9	35.
Write	71.1	54.9	63.3	49.0	28.8	38.3	35.0	16.6	25.5	42.2	23.4	32.
Do arithmetic	85.3	71.0	78.1	66.8	44.7	55.2	52.4	29.8	40.8	59.4	37.7	48.

Source: Ghana Living Standards (GLSS) 1989, p. 57.

122. A number of adult education agencies exist in Ghana. Some of these were established in colonial times, while others are of more recent origin. In 1949, the People's Educational Association (PEA) was set up by the University of Ghana's Institute of Adult Education, which had itself been established the previous year. This Association is still operating but has no special programmes for women.

123. The Department of Community Development which began its activities under colonial rule in 1968 set up women's training institutes with the objectives of:

i) Teaching females to read and write;

ii) Broadening their basic education in home science as wives, mothers and agents in national development;

iii) Developing their innate skills for gainful employment. (Ampene and Nantiyal, 1990)

124. The Department's Home Science Extension Division also established rural women's groups which in 1988 numbered 1258 in all with about 30,000 active members. (Ampene and Nantiyal, 1990)

125. The Ministry of Mobilization and Social Welfare also runs Training Institute for Women. These are open to both illiterate and literate women and aim at absorbing elementary school leavers and dropouts.

126. The Ghana Institute of Linguistics, Literacy and Bible Translation (GILLBT) has been carrying out literacy programmes in four regions since 1967.

127. It has been found that although women in non-formal education generally outnumber men, in governmental-run programmes women are the minority. (Nantiyal and Pandit, 1990)

128. Within the educational reforms a Non-formal Education Division (NFED) has been set up in the Ministry of Education, to spearhead efforts to eradicate illiteracy in Ghana by the year 2000. The Division, very early in its work, realised the high incidence of illiteracy among women and its programmes are characterized by a sensitivity to the special needs of women. Much of its effort to date has gone into assessing the learning needs of women and identifying areas where non-formal educational have fallen short of meeting such needs in order to evolve strategies that will effectively address the problem.

129. The Division has observed, for example, that female instructors form only a quarter of total instructors and are not proportionate in number to the population of female learners. Coverage of literacy programmes is negligible when compared to the backlog of illiterates and the thrust in mobilizing women learners and facilitators is still inadequate. Furthermore drop out rates are high and due to climatic conditions literacy classes are not held throughout the year. (Nantiyal and Pandit, 1990)

130. The establishment of the NFED and the gender sensitivity that characterises its work holds out great hope for the eradication of illiteracy among women in Ghana.

Access to specific education information and advice on family planning

131. The government of Ghana recognizes that effective Information, Education and Communication (IEC) activities with respect to women's occupational and maternal roles require a multi-sectoral approach. Various approaches and methods have been adopted to raise awareness and provide information and education on vocational opportunities, business skills, and ability to space and plan births. It is further recognised that, the increased capacity of women to earn and to ensure the nutritional and health and access to family planning services as well as family guidance and counselling will further promote the status of women and their participation in economic and social development.

132. A Family Planning Programme was set up in Ghana in 1967 and was given further impetus by Second Republic which proclaimed an official policy on population and in 1969, established the Ghana National Family Planning Programme.

133. Both government and voluntary organizations are providing family planning services but most Clinics are in urban areas, whereas 60 per cent of the women who need the services are living in the rural areas.

134. The Planned Parenthood Association of Ghana (PPAG) gives contraceptive advice and provides clinical services to women, both married and unmarried. It has about 25 clinics, 15 in urban areas and 10 in rural areas.

135. The Ghana Pharmacy Board, which controls the importation of drugs, is also meant to control whatever contraceptives are imported.

136. Most of the drugs used by the PPAG come through the International Planned Parenthood Federation. (IPPF)

137. The Ghana Contraceptive Social Marketing Programme (GSMP) launched in 1971 uses social marketing techniques such as promotion, packing, market research and distribution to promote the sale and use of contraceptives. The programme was designed to supplement clinic based services by making family planning commodities more easily available to the general population through retail pharmacy and chemical sellers shops.

138. The Market Operations Research project, a pilot project in various parts of Accra which started in February 1989, is being implemented by the National Council on Women and Development (with assistance from the Ministry of Health, Danafco, and the Centre for Population and Family Health of Columbia University) aims at making family planning services and information more accessible and available at convenient places for the general public especially women. This involves training of women market agents on family planning issues generally and on the usage and storage of condoms and foaming tablets to enable them educate others and also sell these non-prescriptive contraceptives to 'would be' clients. The training content covers population growth and Socioeconomic Development Anatomy and Physiology of the Human Reproductive Organs, principles of contraceptives record keeping and storage, sexually transmitted diseases, family planning and child survival.

Women, Population and Development Project

139. Over the past two years, the National Council on Women and Development has undertaken intensive efforts to promote awareness of population issues among women's organizations. Assistance provided by the United Nations Population Activities Fund (UNFPA) has enabled the NCWD to reach out to several grassroot groups of women in remote parts of the country. Within the last two years, seven (five-day) residential workshops on Family Life Education and Project Management have been organized in seven regions of the country. The two hundred and four people trained during these workshops included female and male representatives from food processing groups, army officers wives, traders, farmers, chiefs, opinion leaders and church women's fellowships. Lectures centred around topics such as financing small scale business, keeping accounting records of business, budgeting, effect of population growth on socioeconomic development, nutrition and breast feeding, human reproduction, fertility and infertility/menopause, physical, mental and social health of the family, natural and modern contraceptives, credit facilities available to women and how to enhance the participation of men in family planning.

140. Feedback from beneficiaries of the training programmes indicates that great awareness has been generated among grassroots women's groups on population issues and knowledge gained in project management is being effectively incorporated into income generating projects.

141. The 31st December Women's Movement is also being sponsored by the United Nations Fund for Population Activities in a three-year Pilot Project in the area of population education and income generation activities for women.

142. It must be noted, however, that there is a great difference between awareness of family planning and actual practice. Although 76.2% of women know of some family planning method, and 69.8% know of a source, only 12.3% are currently using family planning methods. The figures are slightly higher for married women, with 79.4% of them knowing of a method or methods, and 74.4% knowing of a source, and 12.9% are currently using a family planning method. (GSS. 1989a) The number of preferred children is higher for men than for women. The mean ideal family size for women is 5.5 while for husbands it is 7.6. Three-

quarters of women rarely or never discuss family planning with their husbands. (GSS. 1989a) It is clear from these observations that family planning education efforts need to continue and to strive at achieving grater consensus and discussion between men and women on the need for and actual use of family planning practices.

Article 11

Measures to eliminate discrimination against women in employment background

143. At independence, a number of discriminatory provisions which had existed under colonial rule were abolished. Examples of these were regulations requiring the resignation of female officers upon marriage and pregnancy. (see ECA. 1984)

144. Conditions of employment were made equal for men and women. The new government ratified various ILO conventions regarding the employment of women and conditions of work, including the right to equal remuneration for equal work, and the prohibition from underground and night work.

145. In 1967, the Labour Decree was passed. It granted equal rights to men and women concerning employment and special protection, along the lines of the ILO conventions, to women. Prohibition from underground and night work continued except in the case of nurses and other categories of female workers as determined by the Chief Labour Officer. Pregnant women were granted six weeks' maternity leave with pay, and this could be extended if the confinement was abnormal or if a multiple birth occurred. In 1971, pregnant women in the public service were granted three months maternity leave with full pay.

146. The 1969 Constitution set voluntary retirement ages for public servants at 45 years for women and 50 years for men. The compulsory retirement age for both was 60 years. The 1979 Constitution removed this discrimination, allowing voluntary retirement at 45 years and compulsory retirement at 60 years.

147. The suspended 1979 Constitution, although not granting a specific right to work to either sex, stated as an objective of social policy, "the ensuring by legislation of the prevention of human exploitation in whatever form" and enjoined on Parliament "to enact such laws as would ensure that all citizens without discrimination on any ground would have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment". Parliament was to enact further laws to ensure that conditions of work were just and humane and the health, safety and welfare of all persons in employment were safeguarded and not endangered or abused. Parliament, in its life or 27 months, did not enact such laws. (ECA, 1984)

The situation of women in employment

148. As noted in the introduction, Ghanaian women are traditionally expected to be economically active, and between 1960 and 1984 they increased their levels of participation in the labour force, as indicated in Table 13.

149. Table 14 shows the distribution of employment by occupation in 1960, 1970 and 1984 and indicates levels of female participation.

150. Women are found predominantly in the agricultural sector followed by sales, where they far outnumber men and production. Women's economic activity is characterized by unskilled or semi-skilled small scale operation. Although the majority of the female workforce is found in the agricultural sector, only 25% of farmers and farm managers are women.

Table 13

Work participation rates by sex and region. (15 years and above)
1960, 1970 and 1984

Region	1960		1970		1984	
	M	F	M	F	M	F
All region	89.0	56.7	83.5	63.6	83.5	81.6
Western	90.9	64.0	85.5	71.8	84.7	85.7
Central	86.0	75.2	80.2	78.9	80.9	84.5
Greater Accra	86.2	61.8	84.5	62.0	81.1	73.9
Eastern	88.2	69.0	80.5	72.2	81.5	84.9
Volta	85.2	68.3	78.4	73.8	79.7	85.1
Ashanti	90.5	68.4	83.6	71.7	83.0	84.7
Brong Ahafo	92.2	50.4	86.2	72.9	87.7	84.3
Northern	90.9	15.9	88.9	30.3	89.5	68.2
Upper West	-	-	-	-	89.0	84.1
Upper East	89.8*	20.0*	86.2	30.3*	90.1	78.8

Source: Strengthening Educational Planning, MOE/UNESCO/UNDP, 1990. Table 4.2.
* For Upper East and Upper West combined.

Table 14

Percentage of females in selected occupations 1960, 1970 and 1984

Occupation	1960			1970			1984		
	M	F	%F	M	F	%F	M	F	%F
Professional Technical	48,285	11,720 1.18%	19.5	91,587	28,039 2.%	23.4	142,598	79,106	35.7
Administrative and Managerial	11,109	430 0.04%	3.72	10,739	586 0.4%	5.1	14,809 0.1%	1,437	8.9
Clerical and related workers	40,247	3,101 0.31%	7.15	989	13,358 0.9%	15.4	89,551	38,024 1.4%	29.8
Sales workers	67,278	278,540 28.2%	80.5	50,381	363,141 25.7%	87.4	87,721	667,458 24.0%	89.0
Production and related workers	374,775	104,611 10.5%	21.8	396,548	217,240 15.3%	24.6	489,423	397,809 14.3%	44.8
Agriculture animal husbandry and Forestry workers	989,543	573,990 58.10%	36.7	1,026,553	771,726 54.5%	42.9 55.9%	1,732,610	1,556,198	47.3
Service workers	-	-	-	-	-	-	85,317	45,419 1.6%	34.7
All occupations	1,531,237	972,392	38.61	1,648,797	1,394,090	45.12	2,642,029	2,785,451	51.4

Source: Based on Law and the Status of Women, ECA 1984, table 4 and
Strengthening Education Planning, MOE/UNESCO/UNDP, 1990, Table 4:5.

151. The majority of women in sales are small scale retail traders who enter this this area of economic activity because at the small scale, informal level it demands little or no training. Although they form the majority of sales workers only 9.3 % of sales managers are women. Most women are working proprietors engaged in wholesale and retail trade, and a close look reveals, as indicated above, that the majority of such workers are in retail, rather than wholesale trade.

152. Among production and related workers, women are found mostly among food and beverage processors; tailors, dressmakers, sewers, upholsters and related workers, stone carvers and stone cutters; chemical processors and related workers; spinners, weavers, dyers and related workers; glass formers, potters and related workers. In areas such as blacksmithing, machine fitting, machine assembly, precision instrument work, electrical fitting, plumbing, welding, bricklaying, carpentry and transport equipment operation, they are only marginally represented.

153. Although women in Ghana are assured equal pay for equal work their low levels of participation in formal salaried employment gives this provision little meaning for the majority. The participation of females in professional and technical, as well as administrative and managerial fields is extremely low. Among clerical and related workers they are employed mostly as stenographers, typists, data entry machine operators, book keepers telephone and telegraph operators. They are are barely visible among government executives, transport and communications supervision and transport conductors. (GSS. 1984)

154. These trends reflect the findings of the ECA study, "Law and the Status of Women in Ghana" (1984), reproduced below:

> "Since women form the majority of unskilled workers, and the level of skill determines the wage, most women do not receive high salaries. The majority of salaried female workers are in teachers, nursing, secretarial and clerical work where salaries tend to be low and opportunities for promotion and training are limited. A study of female earnings in 1967-1968 shows large female employment in middle level professional and technical jobs (e.g primary and middle school teachers, nurses, stenographers and typists) but extremely low female participation in high-level technical, administrative and management jobs. University lecturers and statisticians are the only two high-level occupations where female representation was more than 20 per cent. It is at these levels that policies are formulated and decision taken, and this under representation of women shows the negligible role they play in decision making. Even in areas where female participation is fairly high, very few females occupy top positions within that occupation. Nursing, where the Chief Nursing Officer and her deputies are women, is the only profession headed by a woman". (ECA 1984)

155. In 1988, 91.2% of women in employment were self-employed, as can be seen in Table 15. According to World Bank estimates households with self-employed heads are among the population groups with the lowest per capita expenditure. With female headed households on the increase and the majority of female workers in self-employment it can be inferred that such households are among the least well-off in the country.

156. Female household headship is not the only factor that gives cause for concern about the nature of women's economic participation and their concentration in low skilled, low-paying occupation. Women farmers are responsible for most food crop production, and the distribution of local foodstuffs around the country is carried out predominantly by women. Women also undertake important food processing activities which facilitate the storage of essential foods. In order to perform these functions optimally increased training is essential. Table 16 further illustrates the relationship between female labour force participation and earnings.

Table 15

Distribution of active population by employment status and sex, 1988

Employment Status	Male	Female
Public services/boards	14.0	4.0
Private enterprises	13.0	3.8
Self-employed	70.9	91.2
Others (unemployed)	2.1	1.0

Source: Strengthening Educational Planning MOE/UNESCO/UNDP 1990, Table 4.9.

Table 16

Comparisons between earnings of employees by major sector, 1984 and 1987 and female participation in those sectors, 1984.

Major Sector	Females as % of workers	Average monthly earnings in Cedis	
		1984	1987
All industries	51.4	2,287	11,214
Agriculture, hunting, forestry and fishing	47.1	2,298	7,816
Mining and quarrying	7.4	3,370	19,511
Manufacturing	66.3	3,441	13,922
Electricity, gas and water	9.1	1,980	11,280
Construction	6.2	1,573	11,105
Wholesale, retail trade hostels and restaurants	85.9	1,843	9,213
Transport, storage and communication	4.1	2,321	12,459
Finance, insurance, business service, real estate	27.5	2,567	10,832
Community, social and personal services	28.5	2,025	10,262

Source: Based on Ghana in Figures. GSS 1988: Strengthening Educational Planning. MOE/UNESCO/UNDP, Tables 4.6 and 4.16

Enforcement of provision for women workers

157. Despite the existence of various laws, women's enjoyment of their rights to equal employment opportunities and equal remuneration are not guaranteed. Private establishments, in particular, frequently pay scant regard to the laws regarding safety measures and maternity leave with pay. Women in the public sector are granted three months maternity leave with full pay, but this is not the case in the private sector. A study, commissioned by the National Council on Women and Development, in 1979, concerning protective and promotive measures for female employees in Ghana, investigated the extent to which the laws on maternity protection and medical attention to female workers are implemented in private and quasi-government establishments.

158. Of the 35 collective agreements investigated, 57.1 per cent grant maternity leave to female employees who have completed 12 months continuous service prior to confinement. Thus any female employee who does not satisfy the above condition is not entitled to benefits during maternity. This practice is inconsistent with the labour laws of Ghana. The proportion of agreements which grant maternity leave without any conditions stands at 42.9 per cent. Salaries paid during maternity leave vary with 51.4 per cent of the establishments paying 75 per cent, and 42.9 per cent of establishments granting full pay. The law also provides for time off for nursing mothers, but as there are no creche facilities, and the time needed to go home and back would exceed the one hour granted, most women cannot take advantage of this.

159. There are five categories of medical facilities available to female employees. The first grants free medical facilities excluding maternity treatment, and these form 37.1 per cent. The second grants free medical attention excluding treatment of venereal diseases and these form 5.7 per cent. Third category, or 5.7 per cent of the establishments, grants free medical attention exclusive of both maternity and venereal diseases. The fourth category, or 2.9 per cent, grants free medical attention as authorized by the company's doctor. The fifth category grants free medical attention as it exists in government employment and these form 48.6 per cent of the agreements under review.

160. Although protections granted by law are complied with in the public service, the private sector quite obviously does not comply with the law. The Chief Labour Officer is empowered to visit all establishments to see that rules are observed and has the power to prosecute employers. At the time of writing, there was no record of the Chief Labour Officer ever prosecuting an employer for infringing any of these regulations. (ECA 1984) There is little evidence that this state of affairs has changed appreciably.

161. By law, women are entitled to receive equal pay for equal work of the same value as men. Work done by women in the home is not counted as part of the work done in the labour force, likewise unpaid agricultural work is not counted as part of the country's gross national product.

162. In Ghana, wives do not benefit from pension plans held by their husbands and vice versa. Women in Ghana in law, have the same right as men to job training, promotions, and retirement but, in practice, women are by-passed by their men colleagues because of their additional responsibilities of child bearing, and other domestic responsibilities .

163. In Ghana, both men and women do not benefit from old age benefit. Men do not benefit from paternity leave.

Types of child-care facilities available

164. With the enactment of the Day-Care Centres Decree in 1978, the Department of Social Welfare was assigned the responsibility of registering of all Day-Care Centres in the country.

165. The assessment which follows is from the 1984 Survey on Pre-school Services in Ghana carried out by the Ghana National Commission on Children.

166. The general supervision of day-care centres and nursery/kindergartens are the responsibility of the Department of Social Welfare and the Ghana Education Service, with the main aim of improving standards in day-care centres and to regulate the conduct of future operations of the service. The service is for pre-school children below the school-going age, i.e. 6 years of age. The Department of Social Welfare supervises and assists day-care units and also runs a National Day-Care Training Centre and a creche at Madina, Accra. The actual administration of day-care centres has mostly been the responsibility of local councils and private proprietors.

167. About 90% of the day-care units in the country are located in the regional capitals and other urban areas. There are presently 446 day-care units registered with the Department. There are about 1,600 public nursery/kindergarten units with 748 of them privately owned, and 120 community established ones. The nursery/kindergarten units, are fairly widely distributed over the country. To ensure the effective administration of these units, the Ghana Education Service has Nursery Organizers in every region, as well as in the districts and local council areas.

Table 17

Children's programme

Day-Care Centres as at 1st August 1984

Regions	10
Number of day-care centres in the country	588
Number of child population in the centres	63,190
Number of certified attendants	648
Number of uncertified attendants but trained on the job	11,441
Number of public/church sponsored centres	416
Number of privately owned centres	172

Staffing and training

168. The Ghana Education Service and the Department of Social Welfare are the main providers of staff for the pre-school centres, under their supervision respectively. District or local Councils also play an important role recruiting staff for pre-school units under their control. They normally provide for the community day-care units upon recommendation from the Social Welfare Department.

169. Over 90% of the staff in all the pre-school units did not have proper academic qualifications. They were Middle School leavers who had just been given in-service training at the local level. Even where trained teachers were present, they were found to be lacking skills in pre-school work.

170. Generally, less than 30% of the staff found in the units had had any meaningful extended training in pre-school work. However, there were a few attendants who having been in the system for a long time, had acquired skills through experience.

171. In-service training and refresher courses are organized by both the Ghana Education Service and the Department of Social Welfare. These courses are organized at the regional, district and local levels for periods ranging between a week to six weeks.

Structural facilities

172. About 40% of pre-school units are supported by community funds made available by the local and district councils. These councils also provide the necessary accommodation and furniture.

173. Privately-owned units are supported entirely by private funds and fees charged per child. They range as at 1984, between 150.00 (cedi) to ¢300.00 as compared to an average of ¢50.00 in the public and community units. Now, fees in these private units range between ¢3,000.00 to ¢8,000.00 per term. (The proprietors of private institutions provide accommodation and furniture requirements)

174. While over 75% of the structures in the urban areas are fairly strong, cement block buildings, 60% of the structures in the rural areas are bamboo and other wooden creations most of which have thatched roofs.

175. The major problem associated with the provision of facilities is the unavailability of supporting funds. It is therefore difficult to maintain structures and broken down furniture. Inadequate space is a very critical limiting factor in pre-school units. Limited sitting and recreational space reduces the number of children that can be admitted. On the average, the units have 3 or 4 classes.

Health facilities and sanitation

176. About 70% of the pre-school units lack health care facilities. They do not have any kind of arrangement made for this, and the majority of such units were in the rural sector.

177. Generally, health care is lacking in the rural areas of the country and in many cases, access to health facilities which may be between 2 and 5 miles away is not easy.

178. In private units, health care is better organized. Many of them have their own mini clinic where children are treated. Other proprietors have arranged visits to their schools, by Community Health Nurses to immunize, advise on nutrition and cleanliness, to weigh, to conduct general physical inspection of the children. They recommend treatment by doctors where they cannot diagnose, or treat the children themselves.

Feeding in pre-school units

179. Only about 58% of the institutions provide food for the children and this is usually either mid-morning snack or lunch. Breakfast is normally provided by parents before the children are sent to school.

Play things and the playing environment

180. Fifty-two per cent of the units, the majority of which are in the rural areas have not play things at all. In the regional capitals and large towns, the units are better provided with play things which are readily available on the market. The finest facilities are in the privately owned units. Most of these are wooden horses, swings, see-saws, large numbers of children use tyres and various toys.

181. The Ghana Education Service and the Department of Social Welfare provide toys, but the UNICEP Office in Accra makes the greatest contribution.

Educational facilities and curriculum

182. Early childhood education facilities are generally lacking in the units. About 30% of the units have no such facilities at all and a considerable time is spent teaching hymns and action songs.

183. In the units where some provisions exist, these usually comprise slates and chalk, cut out paper wall hangings, flash cards and counters mostly improvised by the teachers or attendants; bottle tops, sticks and empty cigarette boxes.

184. On the whole, the privately owned units tend to be better equipped with teaching aids and other educational materials most of which are acquired by the owners.

185. Curricula for day-care centres and nursery/kindergartens differ considerably. In the latter, number and the alphabet are taught in addition to hymns and action songs. In the day-care units, on the other hand, the basic method is to encourage children to learn through play, and there is much resort in teaching of hymns and action songs.

186. Pre-school services in the country are grossly inadequate. Employers are being urged to progressively include child-care facilities in the amenities provided for employees. Also retired teachers, midwives and nurses are being encouraged to set up day-care centres and baby sitting facilities to enable parents participate more productively in their jobs. The NCWD is advocating for the institutionalization of flexible working hours for all, as a measure for encouraging the sharing of parental and domestic responsibilities by women and men.

187. It must be mentioned here that over the past few years the 31st December Women's Movement has made creditable efforts in providing day-care facilities. The movement has spearheaded the establishment of day-care centres in markets, communities and women's workplaces all over the country.

Article 12

Measures to provide women, on a basis of equality with men, access to health services, including family planning

Health delivery

188. Primary health care has been adopted in Ghana as a basic strategy for improving the delivery of health services to the population. The Primary Health Care (P.H.C) programme incorporates a decentralized community based health care delivery network coordinated by a District Health Management Team which forms the apex of a three-teir system. At the base are community health centres and in between the two, health posts. Within this system the preventative health care needed for the majority of health problems can be delivered at the community and intermediate health post levels with referral to the district and regional levels where necessary.

189. The programme has six priority areas as follows:

1. Maternal and child-care;
2. Family planning;
3. Nutrition;
4. Control of diarrhoeal diseases;
5. Expanded programme of immunization;
6. Malaria control.

190. An examination of health facilities on existence makes it clear that the PHC structure is at present extremely weak, with facilities and personnel concentrated in the urban areas, as is evident in Table 18.

191. Not only does the table show that health facilities are concentrated in the urban areas, but it also reveals that there are great regional disparities with the three northern regions being

the least well-endowed. This is also evident in Table 19 which shows the distribution of hospitals in relation to the populations of the regions in 1986. In 1983 there were 152 private hospitals and 402 private clinics. About 49 per cent of these were in Accra and 14 per cent in Ashanti, mainly Kumasi. Some regions particularly those in the southern part of the country fare much better than the northern sector in relation to the distribution of these health facilities. Greater Accra stands out as the most health facility endowed region.

Table 18

Number of Health Care Institutes in rural and urban areas by region, 1984

Region	Rural	Urban	Total
Western	33	24	57
Central	74	48	122
Eastern	20	50	70
Accra	24	79	103
Volta	16	28	44
Ashanti	39	60	99
Brong Ahafo	15	48	63
Northern	--	24	24
Upper West	3	28	31
Upper East	1	21	22
Total	225	410	635

Source: Strengthening Educational Planning (MOE/UNESCO/UNDP) 1990, Table 3.21.

Table 19

Region	Population	Hospitals	Health centre/post	Clinics
Greater Accra	1,426,066	12	19	9
Volta	1,201,095	14	39	52
Eastern	1,679,485	15	34	14
Western	1,116,950	17	22	11
Ashanti	2,089,693	16	39	17
Brong Ahafo	1,179,409	11	22	34
Northern	1,162,645	8	25	13
Upper East	771,584	3	9	8
Upper West	439,161	4	9	8

Source: Centre for Health Statistics, Annual Report 1986.

192. The number of doctors, public, mission or private, working in Ghana in 1985 was 965. This gives a ratio of one doctor to 12,643 of the population. This overall figure masks the unequal distribution of doctors in the country where the regional capitals and towns are the practising grounds of most of the doctors. The health policy of Ghana, 1982, states that "twenty-five years after independence only one-third of the population have access to modern health care". Table 20 also shows the number of staff at post by regions.

Table 20

Number of staff at post in the region (PHC Survey 1989)

Grade/region	ASH	BAR	CEN	EAS	GAR	NOR	UER	UWR	VOL	WES	TOL	Mean per region
Physicians	165	45	26	53	69	22	10	12	32	65	499	50
Medical Asst.	43	-	-	-	-	-	-	-	-	38	-	-
Nurses, Gen.	670	274	89	-	976	140	493	168	119	340	3269	363
Midwives SRN	273	55	93	207	401	14	-	54	165	124	1386	154
Str. Midwife	174	23	43	-	108	-	16	14	-	27	405	58
PHN/CHN	250	152	188	-	423	-	92	59	735	160	1324 (2059	189 257)
Trained TBAs	73	351	886	-	390	191	-	520	65	333	2809	351
Health Insp.	38	36	38	41	53	21	17	12	32	26	314	31
H, Insp. Asst.	139	128	104	235	103	87	54	59	124	93	1126	113
C. H. Ws.	-	341	231	-	-	102	-	23	370	-	1067	213

Source: PHC/EPI Review, Ghana. 1989, Table III

1. The staff at Ashanti Region included those of Komfo Anofye Hospital while those of GAR did not include those of Korle Bu Hospital.

2. The mean for GRA excluded the staff at Korle Bu Teaching Hospital.

Finding:

Nurses: The Classification of nurses was not properly given by some regions. Some categories were either separated or grouped i.e. in the UER the number of general nurses stated also included the number of midwives. The figure was not considered in computing the mean for nurses. Volta Region has a peculiarly large number of PHN/CHNs.

193. According to the PHC/EPI Review Ghana, 1989, ratios of population to health personnel are as follows:

Doctors	1 per 56,666	population
Nurses	1 per 3,778	"
Midwives	1 per 17,000	"
Trained traditionally birth attendants	1 per 2,266	"
Health inspection assistants	1 per 11,333	
Community health workers	1 per 5,000	"

194. The report points out, "these figures are more related to the non-urban districts as Accra Districts figures were exluded, due to its distorting nature. If the large concentration of health professionals in the cities were included the ratios would improve substantially. However, it just goes to emphasise the great disparity between the urban and rural distribution of health staff". (MOH/WHO/UNICEF, 1989)

195. The above figures make it clear that the PGC programme is far from its ideal of extending the system to all villages of population over 200 or more. In 1984 there were 20,632 villages in Ghana, with an avarage population of 405 inhabitants each. For the system to be considered successful there would need to be over 20,000 community health workers alone. However total health workers fall far short of this figure.

196. Against this background it is not surprising that the majority of the population resort to self-medication in the care of illness of children, with the incidence of self-medication in rural areas exceeding that in urban areas. (43.4% in the former, against 27.2 in the latter)

197. Majority of deliveries are assisted by midwives or traditional birth attendants (TBAs) with only 6.8% of all women being assisted by doctors.

198. Use of the services of doctors increases with urban residence and higher levels of education. (see Table 21)

199. Table 22 gives information on prenatal care to women and indicated that most women obtain prenatal care. Here TBAs play a minimal role, and in the majority of instances care is sought from doctors or trained midwives.

Table 21

Percentage distribution of births in the last 5 years by type of assistance during delivery, according to Selected Background Characteristics, GDHS, 1988

	Type of assistance during delivery								
Background characteristic	None	Doctor	Trained Nurse/ Midwife	Trad. Birth Atten-dant	Relative	Other	Missing	Total	Number of births *
AGE OF MOTHER									
> 30	3.9	6.0	35.8	29.0	22.9	1.3	1.1	100.0	2201
30 +	8.3	7.8	30.5	25.7	24.6	1.7	1.4	100.0	1888
RESIDENCE									
Urban	4.1	12.1	58.2	13.2	10.6	0.8	1.0	100.0	1110
Rural	6.5	4.8	24.1	32.8	28.6	1.8	1.3	100.0	2979
REGION									
Western	3.3	5.8	34.2	48.6	6.4	0.6	1.1	100.0	360
Central	3.7	7.1	23.7	37.9	23.9	3.0	0.6	100.0	464
Greater Accra	5.3	15.8	55.9	12.0	9.5	0.5	1.0	100.0	399
Eastern	4.1	5.1	34.2	35.9	18.8	1.5	0.5	100.0	591
Volta	8.2	4.0	28.5	14.6	38.5	2.6	3.6	100.0	499
Ashanti	5.8	10.1	41.1	14.9	24.9	2.1	1.1	100.0	704
Brong Ahafo	5.1	6.6	39.8	22.1	24.9	1.1	0.4	100.0	530
Upper West, East and Northern	10.7	0.9	11.8	40.0	34.7	0.2	1.7	100.0	542
LEVEL OF EDUCATION									
No education	8.5	3.8	22.1	31.0	31.1	1.9	1.5	100.0	1830
Primary	5.9	4.8	32.5	32.1	21.8	1.7	1.2	100.0	661
Middle	3.0	10.2	44.4	22.9	17.5	1.1	0.9	100.0	1398
Higher	2.0	17.0	62.0	11.5	6.0	0.5	1.0	100.0	200
SAMPLE	5.9	6.8	33.4	27.5	23.7	1.5	1.2	100.0	4089

Source: Ghana Demographic and Health Survey, 1988. Table 6.8

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* Includes births 1-59 months before the survey.

Table 22

Percentage distribution of births in the last 5 years by type of prenatal care for the mother and percentage of births whose mother received a tetanus toxoid injection according to Selected Background Characteristics, GDHS, 1988

Background characteristic	Type of prenatal care							% receiving tetanus toxoid injection	Number of births *
	None	Doctor	Trained Nurse/ Midwife	Trad. birth attendant	Other	Missing	Total		
AGE OF MOTHER									
< 30	10.0	25.9	59.1	3.4	0.5	1.2	100.0	70.4	2201
30 +	15.5	29.9	49.4	3.3	0.6	1.3	100.0	68.7	1888
RESIDENCE									
Urban	3.5	35.9	57.7	1.7	0.1	1.0	100.0	81.3	1110
Rural	15.9	24.7	53.4	4.0	0.7	1.4	100.0	65.3	2979
REGION									
Western	5.3	33.3	56.1	4.2	0.0	1.1	100.0	82.2	360
Central	14.2	33.6	44.6	5.2	1.7	0.6	100.0	72.4	464
Greater Accra	6.0	44.1	47.1	1.5	0.3	1.0	100.0	77.4	399
Eastern	3.0	34.0	54.1	6.9	1.2	0.7	100.0	71.6	591
Volta	13.6	22.4	57.7	2.6	0.0	3.6	100.0	63.1	499
Ashanti	4.7	30.8	60.7	2.0	0.6	1.3	100.0	71.9	704
Bong Ahafo	10.6	23.4	64.0	1.5	0.2	0.4	100.0	77.7	530
Upper West, East and Northern	42.1	5.4	48.2	3.0	0.0	1.5	100.0	45.9	542
LEVEL OF EDUCATION									
No education	21.2	21.6	50.9	4.2	0.6	1.5	100.0	59.8	1830
Primary	9.2	30.0	54.9	3.9	0.6	1.4	100.0	71.6	661
Middle	4.4	31.8	60.2	2.3	0.4	0.9	100.0	79.5	1398
Higher	0.5	49.0	48.0	1.0	0.0	1.5	100.0	84.0	200
SAMPLE	12.5	27.8	54.6	3.4	0.5	1.3	100.0	69.6	4089

* Includes births 1-5 months prior to the survey.

Health status of women

200. In Ghana as a whole, the life expectancy at birth has increased from 47 years in 1970 to 54 years in 1985. The life expectancy in urban areas is however higher than in the rural areas by about 12 to 15 years. The general health status of the population is poor.

201. The primary cause of outpatient morbidity in Ghana is malaria, which accounts for 42.8% of all cases, with an incidence of 84 cases per 1000 persons. The next highest cause of morbidity is diarrhoea (8.2%), followed by upper respiratory tract infection (8.0%), skin diseases (4.5%), accidents (3.9%) and intestinal worms (3.7%). (Health and Nutritional Review, Vol. II, World Bank, Accra, Cited in MOE/UNESCO, UNDP 1990)

202. Female morbidity rates are slightly higher than those of men. According to a report on health based on a study carried out by the Ontario International Cooperation Policy foundation for International Training 1988 major maternal health problems in Ghana are:

1. Pregnancy complications, including haemorrhage, infection and toxaemia;

2. Water related and poor sanitation diseases such as malaria, infectious hepatitis, dysentery, hookworm, bilharzia, guinea worm and yaws;

3. Malnutrition leading to anaemia, with 12.3% of all pregnant women reported as having severe aneamia with haemoglobin less than 6 gm. In the Northern and Volta Regions the incidence of amaemia in pregnant women rose to 34.8% and 23.2% respectively.

203. The same report lists the major causes of maternal death as follows:

1.	Peripartum heamorrahge	24 % of deaths
2.	Eclampsia	18 %
3.	Obstructed labour	16 %
4.	Septic abortion	13 %
5.	Anaemia	12 %
6.	Puerperal sepsis	9 %
7.	Ectopic pregnancy	8 %

204. Maternal mortality rates are comparatively high with about 5 to 15 deaths per 1000 births. In the cities and towns served by good health facilities and where ante natal care and deliveries are by trained midwives, the maternal mortality rate is less than three deaths per 1000 births. In contrast to this, the rural areas, with poor health facilities and TBA assisted deliveries the rate is relatively high, at 10 deaths per 1000. (Annual report, Centre for Health Statistics, 1986)

205. Tables 23 and 24 show how infant and child mortality rates are related to certain socio economic and demographic characteristics. Maternal education level correlates positively with child survival while previous birth intervals appears to be the single most important factor affecting infant survival rates.

Table 23

Infant and childhood mortality by socioeconomic characteristics, GDHS,1988

Background characteristics	Infant (0-1 year) 1978-87	Childhood (1-4 years) 1978-87	Both (0-5 years) 1978-87
RESIDENCE			
Urban	66.9	68.8	131.1
Rural	86.8	82.9	162.5
LEVEL OF EDUCATION			
No education	87.7	95.2	174.6
Primary	84.8	68.5	147.6
Middle	69.7	64.0	129.2
Higher	79.1	22.2	99.5
REGION			
Western	76.8	80.4	151.2
Central	138.2	81.9	208.8
Greater Accra	70.1	48.9	103.8
Eastern	57.7	73.2	138.1
Volta	73.5	63.8	132.7
Ashanti	69.8	80.0	144.2
Brong Ahafo	65.0	61.6	122.6
Upper west, east and northern	103.1	132.3	221.8
TOTAL	81.3	78.9	153.8

Source: Ghana Demographic and Health Survey, 1988., Table 6.4

* Note: rates include exposure during 1988 up to the month preceeding the interview.

Table 24

Infant and childhood mortality by demographic characteristics, GDHS, 1988

Background characteristics	Infant (0-1 year) 1978-87	Childhood (1-4 years) 1978-87	Both (0-5 years) 1978-87
SEX OF CHILD			
Male	88.8	78.3	160.2
Female	73.5	79.4	147.1
MOTHER'S AGE AT BIRTH			
Less than 20	97.0	94.5	182.3
20-29	73.1	80.1	147.3
30-39	82.8	65.7	143.0
40-49	118.6	89.2	197.2
BIRTH ORDER			
First	86.3	81.8	161.1
2-3	67.9	84.7	146.8
4-6	82.6	79.8	155.9
7+-	101.8	57.9	153.8
PREVIOUS BIRTH INTERVAL			
< 2 years	114.6	87.2	191.7
2-3 years	67.7	79.7	141.9
4 years	51.5	58.9	107.4

Source: Ghana Demographic and Health Survey, 1988., Table 6.5

* Note: rates include exposure during 1988 up to the month preceeding the interview.

206. The leading causes of infant and child mortality are Diarrhoea (76.5%), measles (6.9%), pneumonia (6.9%), malnutrition (6.5%) and whooping cough (3.2%). (MOE/UNESCO/ UNDP) These figures are not dissagregated by sex but as Table 24 shows, infant and childhood mortality rates combined are higher for males although childhood mortality rates are slightly higher for females. Trends in the incidence of morbidity show that between the ages of 0 - 5 years male children experience higher levels of morbidity than females. The trend is however reversed from the ages of six years upwards with females experiencing higher morbidity levels in both rural and urban areas. (with the exception of Accra)

207. Main causes of infant and child morbidity reveal a shift from causes of mortality with malaria being the highest single cause (68.2%) follwed by diarrhoea (13.1%), upper respiratory tract infection (12.7%) and internal worms (6.0%). (MOE/UNESCO/UNDP,1990)

Fertility and family planning

208. According to the Ghana Demographic and Health Survey fertility levels in the country are high. "At current rates a woman will have an average of six children by the time she reaches her forty-fifth birthday. Urban women have 1.5 fewer births than their rural counterparts. There is a gap of about 3 children between uneducated women and women with more than middle school education.

209. Table 25 show the prevalence of contraceptive use among women by method. Both Government and voluntary organizations such as the Planned Parenthood Association, the Ministry of Health, the National Council on Women and Development etc. are providing family planning services to women. Detailed activities of these organizations have been covered under article 10. (Education on Family Planning)

Abortion

210. Under the laws of Ghana, abortion is illegal except where it is done in good faith for the purposes of medical or surgical treatment of a pregnant women. Even where a woman is the victim of rape, she is not entitled to an abortion. Despite the existence of these laws there is evidence that the incidence of abortion is very high and admissions at one hospital alone are around 3,000 cases a year, with the ratio of abortions to deliveries estimated at 30 per cent, fifty per cent of the abortion cases seen in the hospitals are induced.

211. In spite of its illegality, few abortion cases have been brought to the notice of the police and few prosecutions take place. Even then, jurors are apparently unwilling to convict women on whom abortions have been performed. ECA 1984.

212. The Law Reform Commission has submitted proposals to liberalise the abortion law since it did not seem to reflect the values of the society. Abortion has been freely acknowledged as a commom practice. The most common methods used were oral medications and intrauterine devices, usually a herbal twig or herbal pessaries. The reasons most advanced for the abortion were the desire of a young girl to finish school; unwanted pregnancy; the patient already had a young baby. A final Draft Abortion Decree was submitted to government in November 1973. Serious attempts were again being made to study the ammended proposals to have them enacted alongside other proposals of the Law Reform Commission. These efforts resulted in the criminal code (Amendment) Law, in 1985, PNDCL 102, which substantially amends the law on abortion.

Female circumcision

213. This practice exists mostly among the Muslims of the northern and upper regions and among the Frafra. According to a pilot survey on female excision, there seems to be a greater incidence of the practice in the upper region, but the extent and degree is not known. In this region it is regarded as a prerequisite for marriage and is believed to prevent a girl from being too active sexually.

Table 25

Percentage distribution of currently married women by contraceptive method currently used, according to Selected Background Characteristics, GDHS, 1988.

Background characteristic	Any Method	Any Modern Method	Fill	IUD	Injec-tion	Dia-phragm/ Jelly	Foam-ing Tablets	Condom	Female Sterili-zation	Any Tradi-tional method	Preriodic Absti-nence	With-drawal	Other	Not using	Total	Number
RESIDENCE																
Urban	19.6	8.1	2.7	1.6	0.3	0.4	1.6	0.6	0.9	11.4	8.6	1.6	1.2	80.4	100.0	961
Rural	9.9	3.9	1.5	0.1	0.2	0.2	0.7	0.1	1.0	6.1	5.1	0.6	0.3	90.1	100.0	2195
REGION																
Western	8.2	3.2	1.8	0.0	0.0	0.0	0.7	0.4	0.4	5.0	3.6	0.7	0.7	91.8	100.0	279
Central	9.7	4.9	1.2	0.3	0.3	0.6	0.9	0.0	1.5	4.9	4.0	0.9	0.0	90.3	100.0	329
Greater Accra	27.2	10.6	2.2	3.1	0.0	0.0	2.8	0.8	1.7	16.7	10.8	3.6	2.2	72.8	100.0	360
Eastern	11.4	5.8	2.7	0.2	0.2	0.7	0.2	0.4	1.3	5.6	4.5	0.7	0.0	88.6	100.0	448
Volta	14.6	3.9	1.7	0.0	0.6	0.3	1.1	0.0	0.3	10.7	9.0	1.7	0.0	85.4	100.0	356
Ashanti	10.1	6.5	2.2	0.2	0.7	0.4	1.3	0.5	1.3	3.6	2.7	0.0	0.9	89.9	100.0	552
Brong Ahafo	12.0	5.2	2.5	0.5	0.0	0.2	1.0	0.0	1.0	6.7	6.2	0.2	0.2	88.0	100.0	401
Upper west, east and northern	10.7	0.7	0.2	0.2	0.0	0.0	0.0	0.0	0.2	10.0	9.7	0.0	0.2	89.3	100.0	431
LEVEL OF EDUCATION																
No education	8.5	3.2	1.0	0.3	0.0	0.3	0.4	0.0	1.2	5.3	4.9	0.2	0.2	91.5	100.0	1467
Primary	12.1	6.1	2.5	0.6	1.2	0.2	0.2	0.2	1.2	6.1	3.9	1.4	0.8	87.9	100.0	512
Middle	16.8	6.7	2.8	0.6	0.1	0.4	1.7	0.5	0.6	10.1	7.7	1.3	1.1	83.2	100.0	999
Higher	28.7	10.1	1.7	1.7	0.6	0.0	3.9	1.7	0.6	18.5	15.2	2.8	0.6	71.3	100.0	178
NO OF LIVING CHILDREN																
None	3.8	1.9	0.8	0.0	0.0	0.0	0.0	0.8	0.4	1.9	0.8	0.4	0.8	96.2	100.0	261
1	10.1	3.5	1.5	0.2	0.0	0.2	0.7	0.7	0.2	6.6	4.8	0.9	0.9	89.9	100.0	546
2	11.7	3.0	1.2	0.0	0.0	0.0	0.9	0.3	0.5	8.7	7.7	0.3	0.7	88.3	100.0	572
3	14.3	5.1	1.5	0.6	0.4	0.4	1.5	0.0	0.6	9.1	7.9	1.3	0.0	85.7	100.0	470
4+	15.8	7.5	2.6	1.0	0.5	0.5	1.1	0.1	1.8	8.3	6.7	1.1	0.6	84.2	100.0	1307
SAMPLE	12.9	3.2	1.8	0.5	0.3	0.3	1.0	0.3	1.0	7.7	6.2	0.9	0.6	87.1	100.0	3156

Article 13

Measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the right to family benefits; bank loans, morgages and other forms of credit; participation in recreational activities, sports and all aspects of cultural life

214. In Ghana even though, in theory, there are no laws, regulations or policies discriminating against women's access to credit or other financial resources, in practice the story is different. Their low social status, lack of education and other factors have stood in their way when competing for loans in the banks or for better job opportunities. The majority of women in Ghana, for instance are unable to fulfill some of the conditions and requirement for obtaining loans from the banks. One of such conditions is that, one must be a customer to the bank, in other words, one must have an account which is operating. Few women however, have bank accounts or even keep their monies in the banks. The small business women and rural farmers find it less convenient to keep the capital which they require for their daily operations in the banks. Some do not have any surplus capital to keep in the banks.

215. Another condition limiting women's access to credit is the issue of collateral. Most women do not own land or any other property. Whatever property they have is often registered in the name of the husband or a male family head.

216. Another constraint identified is 'fear'. Women fear to owe and do not wish to risk the security of their children and families, yet successful business men or women must be prepared to take some amount of risk. Women however, are credit worthy and do not default in payment of loans offered.

217. Again, women's economic activities are in areas of small scale trade or industries which is often limited or already saturated and often outside the Government priority concern and thus do not attract loans from the banks. Women mostly illiterates lack the know-how ability to convince the banks about the viability of their economic activities. They are unable to keep proper records of their economic activities to be able to make future projections. These are hindrances to their access to credit.

Table 26

Sectoral distribution of loans and advances - all banks
(Current prices, percentage of total)

Sector	Year							
	1980	1981	1982	1983	1984	1985	1986	1987
Agriculture	18.0	20.6	29.6	32.0	31.0	23.1	18.3	19.5
Manufacturing	36.0	36.4	37.0	41.2	41.4	38.0	39.8	44.2
Services	46.0	43.0	33.4	26.8	27.6	38.9	41.9	36.3
Total	100	100	100	100	100	100	100	100

Source: Statistical Service, Quarterly Digest, 1982, 1989.

Table 27

Credit allocation index:
Ratio of loans and advances to gross domestic product

Sector	1980	1981	1982	1983	1984	1985	1986	1987
Agriculture	.295	.405	.512	.532	.630	.514	.384	.385
Manufacturing	3.13	4.14	8.15	7.23	3.91	2.28	2.31	2.78
Services	1.67	.07	.891	.775	.85	1.01	1.21	1.10
Total	100	100	100	100	100	100	100	100

(Derived from data from Statistical Service Quarterly Digest 1982, 1989)

218. Credit management policies in Ghana have been targeted to achieve efficiency in the allocation of financial resources. They are also aimed at providing welfare and subsidy benefits to cert..in sectors of the economy.

219. The Bank of Ghana which administers the Government's policies has used these instruments to channel credit to production priority sectors. This is done in the form of lower lending rates for these sectors. In 1986, for example, import trade was not allowed any percentage increase in lending.

220. In 1987, the PNDC Government gave directives for commercial banks to lend at least 20% to small-scale farmers with at least 7.5% to other farmers.

221. The rural banking system which was started in 1987 is meant to address the problems of small-scale rural credit. Its assets consist of about 2% of the total banking system's assets and 1% of outstanding credit.

222. Alongside the formal credit institutions exist informal ones. They include money lenders, credit unions and credit associations locally dubbed 'susu'.

223. As part of the Economic Recovery Programme, under PAMSCAD, as mentioned before there is a credit line facility for small enterprises. The objective is to generate employment in both urban and rural areas. Forty per cent of this facility is reserved for women. Credit is thus being provided to small scale enterprises through a revolving fund to benefit small-scale entrepreneurs who are unable to get finance through the normal banking system because of the criteria the banks use before lending. Some training and counselling is also being given to entrepreneurs in simple accounting so as to ensure their ventures are economically viable. It is hoped through the above measures, that women would increase their incomes and thus become more financially stable.

224. Another measure , is the Agricultural Rehabilitation Credit for peasant farmers. Under this line of credit, special credit facilities are given to peasant farmers who find it difficult to obtain loans from the banks. This will also assist the rural poor to improve agricultural production and raise their incomes.

Family benefits

225. In Ghana, employees and self-employed persons pay tax as required by law, Income tax at specified rates are paid based on assessments made each year by the Commissioner of Internal Revenue. Family benefits operates by way of tax reliefs which are granted against assessable income as indicated below:-

1. Basic tax free income

Each taxpayer is allowed a basic relief of ¢38,000 per annum.

2. Marriage relief

In addition to the basic relief, a further relief of ¢6,000 per annum is deducted from the income before being taxed if you are:

a) a married man;
b) a married woman;
c) an unmarried man/woman with two or more dependent children.

When a married woman who maintains her husband and their household claims the marriage relief, her husband cannot make a claim.

3a) Social Security/Provident Fund/Pension/Super Annuation Scheme Relief

If a taxpayer contributes a portion of his income to any of the above, further relief is given for the amount contributed.

However the total contribution should not exceed 10% of the total emoluments and must be invested in Ghana. The scheme must be approved by the Commissioner of Internal Revenue before they qualify as reliefs.

3b) Life Assurance relief

When a taxpayer also owns a Life Assurance Policy, he is granted another relief of the premium paid which should not be more than 10% of the capital sum assured or 10% of the taxpayers total taxable income.

However, total claims for relief for Social Security/Provident Fund, Life Assurance etc. (as in 3a and b) should not exceed ¢85,000.00.

4. Child's education relief

An amount of ¢7,000 is granted as a relief against the assessable income of a taxpayer for education expenses for a child attending a recognised Secondary School for up to three children. A certificate will have to be produced from the head of the school.

5. Disablement relief

A relief of 20% of the total income is granted if a taxpayer is disabled and can provide a letter from the Department of Social Welfare to prove this.

6. Old age relief

Taxpayers over 60 years old are entitled to a relief of ¢40,000 from this total income, but must present documentary proof of age.

7. Employee's allowance

Allowances paid by employers to their employees are all taxable in the hands of the employees except those specifically exempt by law.

These are:-

1) Housing allowance of not more than 20% of the employee's basic salary;

2) Bonus of not more than 12% of basic salary;

3) Night duty allowance;

4) Car Maintenance allowance not exceeding ¢2,500 a month;

5) Motor cycle allowance not exceeding ¢600 a month;

6) Lunch allowance not exceeding ¢150 per pay;

7) Leave allowance not exceeding 10% of basic salary or ¢30 whichever is lower.

Participation of women in recreational activities sports, and other aspects of cultural life

226. Legally, there are no obstacles to the full participation of women in recreational activities, sports and other aspects of cultural life. In practice, structurally, existing infrastructure for recreational activities are male oriented. Recreational structures are mostly drinking spots, club houses where predominantly, men meet to discuss business or to relax over "bottles". (drinks)

227. With respect to sporting activities, sporting events are also pro-male. For example football, has remained the preserve of men. Women only play football during fun-matches as entertainment during important functions or celebrations. Women's recreational activities cover social gatherings like out-dooring of newly born babies, "get-togethers", mutual aid groupings activities, ladies clubs' activities, funerals and church activities, generally.

228. Culturally girls are socialized to help their mothers with household chores or play with dolls, while their brothers play football and other strenuous games.

229. Again women are often kept busy over domestic and household activities and are left with little or no time for recreational activities.

230. With the new educational reforms, efforts are being made to erase the stereotyping of functions between boys and girls. Again policy-makers are being sensitized through educational programmes to provide recreational facilities for women.

Article 14

Measures to take into account the particular problems faced by rural women and the significant roles they play in the economic survival of their families; and to eliminate discrimination against women in rural areas that ensure on a basis of equality with men that they participate in and benefit from rural development

231. Rural and urban population figures in March 1984 point out that, 68% of Ghana's total population lived in the rural areas, throughout all the regions, except Greater Accra region which accommodates between 68% and 89% of its population in the urban areas. Upper West and Upper East had the highest levels of rural population, registering 89.1 and 87.1 respectively. In terms of sex distribution, there are more females in the country than men, and there are fluctuations in the pattern of distribution at the regional levels. This may create problems in the rural sector with respect to health, food, water, housing, energy and employment. The target vulnerable groups are mothers, infants, and the rural poor, including migrant farm labourers/workers. The most crucial problem is water supply. While 94% of the urban population has access to good drinking water, only 29% of the rural population has access to good drinking water, in 1979. There is evidence that about six out of ten regions in Ghana experienced only slight increases in the rural water supply from 1979 to 1984. This weakness in the water supply system is related to rural health which is characterised by inadequate facilities, lack of public health education resulting in high crude mortality and morbidity rates, infant and child mortality rates, prevalence of infections parasitic diseases and malnutrition.

Contribution by rural women in national development

232. Women, in view of their numbers, have a major role to play in the rural development process, especially in agriculture, in employment and in the preventive aspects of primary health care.

Agriculture

233. Women form 51.2% of rural population and carry out subsistence farming to provide food crops, vegetables and sometimes few cash crops.

Processing, preservation and utilization

234. Food processing and preservation is mainly done by rural women to prevent wastage in food and vegetables.

Harvesting, distribution and marketing

235. Rural women carry out harvesting of farm produce, bring some to nearby market centres for sale and in turn buy what they need for the family eg. salt, soap, fish etc.

Social activities in the villages

236. Rural women take active part in community development programmes drawn up by the chief and his elders or the Town Development Committees eg. in communal labour to build school blocks, pay levy, construction of toilet facility, water, etc. It is also carried out sometimes through the initiative of women.

237. Rural women contribute in the implementation of national policies such as, tree planting programmes, in environmental protection, raising of cocoa seedlings to sell to raise funds for women's programmes, provide nurseries for their children, market places to sell and other social activities like women's groups which can assist themselves in times of need or when in trouble of any kind.

Maternal and child mortality

238. About half of all births in Ghana occur in homes, not in hospitals or clinics where trained people and technical resources are available. According to the 1985 survey of Ghana's Primary Health Care system, of all personnel aiding deliveries 47 per cent were untrained health workers, 26 per cent were traditional birth attendants who received some training in modern childbirth techniques and hygienic practices, and 27 per cent were untrained.

Table 28

Personnel conducting delivery

Personnel	Rural		Urban	
Doctor	71	(3.7%)	226	(10.8%)
Midwife	234	(12.1%)	467	(46.3%)
Trained TBA	253	(13.1%)	142	(6.8%)
Untrained TBA	1212	(62.7%)	665	(31.9%)
Others	164	(8.5%)	85	(4.0%)
Total	1934	(100%)	2085	(100%)

Source: Adjei, Sam and others. Primary Health Care Review Ghana, August, 1988.

239. Ministry of Health estimates show nationwide pregnancy and birth related maternal deaths varied from 3 to 6 per thousand births during 1968 - 1978.

240. Still birth in the whole country varied from 35% to 45 per thousand between 1968 and 1978. Death of infants at birth (perinatal mortality) varied from 46 to 53 per thousand births while neonatal fatalites (babies from birth to one month) varied from 10 to 13 per thousand.

241. Deaths of infants and children below the age of 5 years constitute a disproportionate share of all deaths in the country. The infant mortality rate, counting deaths of those from one month to one year old stood at 94 per thousand live births in 1987. The child mortality rate was 11 deaths to children age one to four years per thousand.

242. The six most common causes of death to children both urban and rural under five years old are diarrhoea, bronchial pneumonia, malaria, measles, malnutrition (Kwashiorkor and Marasmus), and diseases of the newborn. Severe malnutrition was found in 5 per cent of urban children and 11.5 per cent of rural children in a 1985 survey.

Special Programme Development to meet the needs of rural women

1. Maternal and Child Health in Ghana MCH/FP Strategy

243. As part of preventive health services maternal and child health (MCH) is aimed at protecting and improving the health of women and children. The most practical and efficient place to start health care is at the beginning of life, with the unborn baby and its mother. The main objective of Ghana's MCH is to minimize the incidence of conditions which give rise to death and disease.

244. The MCH/FP service includes the following programmes:

a. Health education;
b. Expanded programme on immunization (EDI);
c. Control of diarrheal disease (CDD);
d. Nutrition (including growth monitoring, promotion of breast feeding and promotion of maternal nutrition);
e. Maternal care;
f. Child care;
g. Environmental sanitation.

245. Thus, MCH programmes include antenatal and delivery services designed to promote the health of the pregnant mother and safe birth of a healthy baby. Post-natal and child health service which ensures the promotion of the health of the child. The programme also provides services for school age children which caters for the health needs of both mothers and children by ensuring child spacing, prevention of unwanted children, infertility problems and improvements in reproductive health.

Child health

246 This component is meant to protect and promote the optimal growth and development of children 0-5 years. Activities here include:

a. Risk detection;
b. Growth monitoring;
c. Immunization;
d. Promotion of breast-feeding and adequate weaning diets;
e. Health and nutrition education;
f. Family planning;
g. Nutrition rehabilitation.

247. Child welfare clinics are run from health post, health centres, polyclinics and from hospitals. At times special clinics are run to handle cases like malnutrition. Home visits are also part of the child health services programme often performed by public and community health nurses, nutrition officers and other health auxiliaries.

248. One of the major successes of MCH services is in the area of child health services especially through the Expanded Programme of Immunization (EPI) diarrheal control and malnutrition.For the control of diarrheal oral rehydration therapy is offered in almost all child welfare clinics, mothers are taught at clinics or through home visits how to administer the ORS.

249. The Immunization Programme has been quite effective throughout the country. Communities have been mobilized at various times - holidays, special campaigns etc. for immunization purpose.

250. Issues relating to Family Planning Information and Services have been dealt with extensively under Article 10, Education, and Article 12, Health.

2. Essential drugs supply projects

251. In view of the chronic under supply of essential drugs to rural health services and sporadic supply to urban polyclinics in low income urban areas because only limited number of drugs could be imported due to foreign exchange constraints, under PAMSCAD, UNICEF has provided funds and under the project, drug kits are being forwarded to community and sub-district health facilities directly. Drugs are being supplied to all the ten regions and to the district areas on quarterly basis from the port of entry. Traditional birth attendants are also being trained in the administration of drugs. By the supply of essential drugs and ORS much of the health problems of the family would be solved and thereby benefit the mothers who are the ones who take care of the health of the family in most homes in Ghana.

3. Hand-dug wells and low-cost sanitation project

252. In the urban areas 90% of inhabitants have access to safe water. In the rural areas however, only 40% of the population have safe water. Water supply to rural areas are usually streams, river or ponds and the rural people may walk over very long distances during the dry seasons before getting water. Some of the wells, rivers and ponds are unprotected leading to water related diseases such as guinea worm infestation which hampers productivity of the population.

253. Hand-dug wells and low-cost sanitation projects have been started in at least one district of each region of the country with acute water problems. Hand-dug wells, ventilated improved pit latrines (VIP) are also being provided in the villages. In all about two thousand (2,000) hand-dug wells and six thousand (6,000) VIP latrines are being provided. Women, rural women in particular, are those who would benefit most from the projects since they would not need to walk over long distances to look for water for their households.

4. Improved local building materials and rural shelter rehabilitation projects

254. Shelter is one of the basic needs and a limiting factor to rural development. Dwelling units are constructed through private initiative in the rural areas. Maintenance is difficult because of the expensive nature of the building materials. An integrated approach is now being used to support the shelter industry in the rural areas by the use of appropriate technology and local materials so as to be cost effective.

255. Currently, the Department of Rural Housing and Cottage Industry is training villages to use improved and cheap materials for building. The project is also introducing cheaper, safer and durable types of shelter in the rural areas.

5. Other Measures, credit-line for small enterprises involving rural women and technologies for rural women

256. In 1983, a project was signed between the government of Ghana and the ILO to introduce new technologies to the economic activities notably food processing which rural women engage in. These activities were fish smoking, soap making, palm oil extraction, coconut oil extraction and gari making. The objective of the project was to reduce the arduousness involved in rural women's economic activities, to strengthen NCWD capabilities in their choice and implementation of technology for rural women, to strengthen the capability of local manufacturers and R & D institutions to manufacture and come up with appropriate equipment for rural women and to disseminate improved technology to the public.

257. The first phase of the project covered 14 villages in six regions of the country. The second phase covered the period September 1986 to September 1988. During this period the project was extended to cover 23 more village in all ten regions of the country.

The Ghanaian women as a land owner

258. The Ghanaian women had to operate within the norm of existing land tenure systems in Ghana after 1957. Land acquisition can be achieved through arrangements with government (concessions) and stools (settlements) traditional family (inheritance) or marriage (gratis).

The Ghanaian women as a land concessionaire

259. Land concessions from government reserves have been a monopoly of Ghanaian men since the colonial days. The concessions have traditionally been used for the exploitation of timber, an occupation 'beyond' the reaches of female Ghanaian Entrepreneurs as a result of traditional norms and lack of financial backing. Since there is no law discriminating against women in the acquisition of concessions from government one would have wished to read about Ghanaian female timber contractors. However, the initial investment in equipment and other resources for the exploitation of timber is so high that Ghanaian women shy away from such a venture. Financial institutions have been of little help since their financing is influenced by the traditional belief that Ghanaian women are not big property owners and are therefore a security risk.

The Ghanaian woman as a settler farmer

260. There has been a degree of success in the acquisition of land by the Ghanaian women through settlement outside their tribal homelands; but here too there are set-backs. Settler farmers normally immigrate as a family. The man, being the traditional head of family, negotiates for the stool land for his family's settlement. He can then re-apportion part of the family land to the wife.

The Ghanaian woman as a family land owner

261. Married or single, a Ghanaian woman can acquire land for farming through her traditional family ties. This situation predominates in the matrilineal inheritance societies. The land may be given out by the head of family to the enterprising woman or acquired through the wishes or will of a deceased brother or sister. So long as ownership of the farmland remains within the family, there is no discrimination on the basis of sex. Marriage may cause the woman to be an absentee farmer or she may surrender the land to a sister, brother or head of family. In this connection, some Ghanaian women may lose ownership of land as a result of marriage to non-residents of their localities. The reverse situation exists in Northern Ghana where a woman can acquire farmland only through marriage to an outsider and not through her family.

The Ghanaian woman as a 'Gratis' land owner

262. The most convenient but probably the least appealing is the acquisition of farmland by a Ghanaian woman through marriage. The land is given as 'gratis' so long as the marriage lasts. This is strictly so in the patrilineal societies, where the land is usually family property and 'gratis' ownership by the wife only helps her to grow food or generate additional income for the family.

263. If the husband dies or the woman is divorced, the woman loses ownership of the land. In the matrilineal societies land that is not family property but acquired by the husband can be supported by a will.

264. The general issue of land ownership through marriage is partly addressed by the government's Intestate Succession Law and Head of Family Accountability Law. The Laws address the issue of property (in this case land) where the husband dies intestate.

265. Security or collateral for women investors has always been a bottleneck for women land speculators. With a branch of the Women's World Banking in Ghana, local women are better placed to invest in land from both government and private sources.

Article 15

Measures to accord to women: equality with men before the law, indentical legal capacity to that of men; removal of restrictions of women's legal capacity; and equal rights with men in relation to movement of persons and freedom to choose their residence and domicile

266. Ghanaian women have equal rights as men legally. In courts women are treated equally. Women take their place in the legal system on an equal basis with men. Their testimony is given equal weight with that of men. Women lawyers are allowed to represent clients before court and tribunals and they can serve on juries or other citizen panels. Women as equal entities, can sue the be sued in their own right. Women have the same rights as men to appointed to the judiciary.

267. Women in Ghana have the right to make contracts in their own name and same rights as men to administer property. The Federation of Women Lawyers, (FIDA), has established a free legal aid scheme to cater for the needs of women only. In addition to this, the government has also established a free legal aid scheme for the poor and vulnerable groups generally.

268. Women and men are accorded the same legal rights to choose their residence. However, a woman's domicile is dependent on that of her husband on marriage specially in patrilineal communities, where children inherit their fathers directly, and fathers have the right of naming the children. Upon marriage, a woman moves from her original domicile to live with the husband. Single women on the other hand can choose the place where they live without any restrictions by either tradition or custom.

Article 16

Measures to eliminate discrimination against women in all matters relating to marriage and the family

269. The ECA Study, "Law and the Status of Women", includes an extensive review of the situation of women in relation to marriage and the family. It is reproduced below.

Laws pertaining to marriage and the family

A. Introduction

270. There is no one body of law which regulates marriage and family relations. According to whether a person is married under the Marriage Ordinance or under customary law, different rules apply. Generally, marriage under the Ordinance confers rights on spouses and children which are unknown in some systems of customary law.

271. This dualism in the law is a carry over from colonialism which provided the Marriage Ordinance to regulate the marriage and succession rights of educated Christians and clothed them with a status unknown in customary law, should they die intestate. Table 1 shows the percentage of the female population by type of marriage in 1968.

Table 1

Married females by form of marriage (1968)

Form of marriage	Total	Urban	Rural
Customary only	81.7	76.3	84.0
Ordinance only	0.3	0.8	0.1
Ordinance/church/Muslim	5.8	12.8	3.0
Mutual consent	11.0	9.0	11.8
Other	1.2	1.1	1.1

Source: Gaisie and De Graft Johnson, Population of Ghana (Accra, 1974)

272. The overwhelming majority of women, urban and rural, are married under one or another system of customary law. Ordinance marriages account for less than six per cent nationally, and some churches marriages are customary marriages which have been blessed in a church.

273. In Ghana, a wife is not a member of her husband's family, whether this family is matrilineal or patrilineal, and whatever the form of marriage. A family has been defined as the group of persons lineally descended from a common ancestor, exclusively through males in partilineal communities, or exclusively through females in matrilineal communities, and within which succession to office and to property is based. Thus the conception of family ignores one segment of an individual's family, and customary law effectively denies any concept of a conjugal family. In the materilineal systems, the children also are not members of their father's family. If the wife and children are not members of their husband's and father's lineage respectively, then, in principle, be kept away from them and passed on to his descent group. The wife's family gets the children and the husband's family the property.

274. Even though efforts have been made to achieve some uniformity in the laws and to deal with the unsatisfactory state of the law which brings hardship to widows and children in the matrilineal systems, no concrete results have been reached. The courts have sought to modify the harsh effects of these rules and practices, but for every five cases that reach the courts there are thousands which do not. The Law Reform Commission has also focused attention on the necessity for reforms in relation to marriage, succession to property and practices affecting wives and children, but even though drafts of proposed legislation have been circulated and views expressed, no laws have been passed. During 1982, attempts were being made to review the proposals and to enact them into law.

275. If women are to gain equality with men and live productive and satisfying lives, the laws and practices regarding marriage and women's rights within the family will have to be substantially modified. Existing laws condemn the majority of women to an inferior position within the family, and the family for most women, is the only world they know. Despite Ghana's acceptance of the United Nations Decade for Women and its call for action to improve the lives of women, the decade will soon end with few changes, either legislative judicial or of opinion, having been effected. Although Ghanaian women feel the need for change, they have not been able to come out with one voice to demand their rights. The high rate of illiteracy, their relative isolation, repeated childbearing and numerous household chores prevent women from meeting together to discuss their problems and find solutions. If mobilized and educated, women in Ghana will then be able to demand their rights.

B. Marriage under Customary Law

276. Under customary law, marriage is regarded not so much as the union of a man and a woman but as a union of the two families. Thus death does not necessarily terminate the relationship, and the practice of wife inheritance testifies to this. The essentials of a valid customary law marriage are the agreement of the parties to live together, the consent of the families and the payment of the brideprice. The agreement need not always be that of the parties themselves. Among the Konkomba, a girl is sometimes betrothed, not to a specific husband, but to an elder who, when she is old enough to marry, will give her to whichever of his sons is old enough to marry.

277. While a few people marry without the consent of their families, it is generally the families which are responsible for ensuring that the ceremonies connected with the marriage are observed.

278. There is no age for marriage under customary law although in all systems a girl will have reached puberty before the ceremony takes place. Even in cases of child marriage there is no actual cohabitation until the child-wife is around 15 years of age.

279. Where child marriage exist, many young women enter marriages in which they do not know their husbands, or do not love them, rather than run away or break an engagement, which would entail the return of the brideprice. Among some of the patrilineal communities in northern Ghana, the husband performs bride service for the girl's parent, or starts paying the brideprice, from when the girl is five years old. In such situations the girl cannot refuse to marry him when she is of age. Where, however, a few girls have run away and the husband have sought to enforce their customary law right to their return, the courts have refused to compel them to go back to their husbands. In such cases, the husbands would be entitled to the return of the brideprice.

280. The brideprice varies from community to community and does not need to be paid in full before the marriage an take place. It serves to establish the man's monopoly over his wife's sexual rights, allows him to claim adultery fees from paramours and in most systems makes him the legal father of his wife's children.

281. While a woman can marry only one husband at a time, a man is permitted to marry any number of wives he can afford. Out of courtesy he informs his eldest wife before taking any additional wife, and the first wife is entitled to mpata, compensation for hurt feelings. Failure to inform the first wife is no ground for divorce. Similarly, adultery by the man is no ground for divorce since he can always decide to marry the woman concerned.

282. Under customary law, a husband and wife may not always live together. Among the Akan and the Ga, a woman does not usually move to her husband's house on marriage but stays in her family house, only going to the husband's to sleep. However, if she refuses to move in with him after he has asked her to, this can be ground for a divorce.

283. This type of residence in marriage may aid instability, although in a situation where the wife is not considered a member of the husband's family, it allows her to stay with her own family and to benefit from their support. The case of the Ga is unusual since they are mainly a patrilineal group where residence tends to be virilocal. Among the other patrilineal groups a woman usually moves to her husband's home on marriage and lives with him in his own hut or one built for her.

284. A woman married under customary law retains her family name. The husband and his family have the right of naming the children and usually names are given from the husband's family, although where several children are born, some may be named after the wife's relations.

285. A man is bound to maintain his wife and children, and she can go to court to enforce this right. He is responsible for the debts she incurs while living with him. This is because the services of a wife are transferred from her family to the husband on marriage. Among the Ashanti, a man is told by the woman's family, on marriage, that if she acquires property it belongs to them, but if she incurs a debt, it is his to pay. The Criminal Code also imposes a duty on a man to supply the necessaries of health and life to his wife, and his children, legitimate and illegitimate, who are actually under his control.

286. The husband is the head of the family and is responsible for taking the major decisions affecting the family. He is responsible for disciplining his children although he normally leaves the training of daughters to his wife, while he takes the sons and teaches them a trade. The husband can beat his wife for disobedience or if he is not satisfied with her. This situation makes equality between the spouses almost impossible, and the existence of polygamy puts the man in a superior position vis-a-vis wives. While they cannot divorce him on the ground of his adultery, he may divorce them for this same reason and also claim adultery damages (ayerefa) from the men responsible.

287. There is no community property between spouses, and each is entitled to acquire property and to use it. Whatever a wife acquired before marriage belongs to her separately. While she cohabits with her husband whatever she acquires by her own efforts belongs to her. She can be set up in trade by her husband and the initial money may be by way of advancement or a gift. The profits she acquires from such activities are hers, although among the Akim, a matrilineal people, it is said that the husband is entitled to 50 per cent of such profits.

288. Whatever a wife a her children help the man to acquire belongs to him absolutely as it is considered the duty of a wife and her children to help the man in his chosen trade in return for his duty to maintain them. Unless the man makes a gift to them of a specific share, which is witnessed by a member of his family, and the customary aseda (thanks) is given, the wife and children, on death intestate of the husband, have only the right of residence and maintenance out of the estate.

289. The marriage may come to an end through divorce or death. Customary law frowns upon divorce and several efforts at reconciliation are attempted before a divorce takes place. Divorce may be initiated by either spouse who summons the other to an arbitration made up of members of both families. Among the Ewes, only the wife may initiate divorce proceedings while in many northern groups it is only the husband. It is also possible to terminate a customary law marriage upon application to the courts under the Matrimonial Causes Act.

290. The grounds for a divorce under customary law include adultery by the wife, infertility, impotence of the husband, theft, witchcraft by the wife, desertion, cruelty and neglect to maintain the wife.

291. In the view of customary law adultery can be committed in various ways, and in some communities simply touching a woman's waistbeads can constitute adultery. Among the Ashanti, a man may swear an oath restraining the wife from cohabiting with her paramour on divorce. The husband is entitled to claim adultery fees and to recover the whole or part of the marriage consideration, in addition to other claims for expenses.

292. A wife is in desertion once she refuses to return to her husband after he has asked her to do so; a husband is in desertion when he does not cohabit with his wife for a reasonably long time.

293. After the divorce has been pronounced, the parties can submit bills for expenses incurred by either party on the other's behalf during the marriage. The husband's bill may include the return of the brideprice, debts paid on behalf of the wife, gifts of valuable trinkets or jewellery, and advances for purposes of trade. The claims cannot include housekeeping

money, certain gifts to the wife's family and the cost of everyday clothes. On her part, the wife can claim any money advanced to the husband, gifts of valuable and arrears of maintenance. Where the divorce is brought about through no fault of hers, the wife can also claim compensation.

294. The custody of young children in matrilineal communities is given to the wife, with the husband having the right of access to them; in patrilineal communities the men take the children.

295. Divorce in marriages under customary law can also be effected through a court action by the presentation of a petition under the Matrimonial Causes Act. In this case the grounds for divorce include those recognised by the personal law of the parties, in addition to those set out under the act, and the court is entitled to grant reliefs recognised by the personal law of the parties in addition to, or in place of, the matrimonial reliefs under the act.

296. Upon the death intestate of a husband, wives in either patrilineal or matrilineal societies have no share in the property of their dead husband but are entitled to be housed, fed and clothed until they remarry or die. In most cases these rules are not complied with, and the widow returns to her own family. In matrilineal communities the children also have no specific share in their father's estate but have a right of residence in any house built by their father and to be maintained out of their father's estate. The right to maintenance is often subject to their good behaviour. In fact, most successors appointed by the man's family neglect to maintain the widow and children, who are often driven out of the matrimonial home and left to fend for themselves. In patrilineal communities, where they are members of their father's family, the children inherit the property and in this way provide some security for their mothers. Female children usually inherit smaller shares than male children, in some cases receiving only half a male share, and they do not get more than a life interest, to prevent the estate passing to their children and thus to another family.

297. Widows and children are subject to customary funeral rites which are often traumatic. There have been attempts to mitigate the harshness of these customary law provisions. In the 1930's and 1940's, various traditional councils passed resolutions and proposed by laws to allow wives and children rights in their father's estate. The Effutu (Winneba) State Council passed a resolution in November 1933 which recommended that one-third of the property of a male intestate should go to his wife and children together. The Akim Abuakwa State Council proposed in 1939 and 1941 that one-third of a man's estate should descend to his children in equal shares while the Ashanti Confederacy Council passed a resolution in February 1948 proposing that one-third of a man's estate should descend to his children, one-third to his wife and one-third to his family.

298. None of these attempts were successful as the Governor-in-Council refused to give his approval as required by the relevant ordinance, and attempts by some Chiefs' Courts to follow the resolution were overruled on appeal. The judges were told to administer the law as they found it, and not in the manner they would individually wish it to be.

299. There have also been efforts by some churches to get their congregations to follow rules which give protection to widows and children. These rules give one-third share to the widow, one-third to the children and one-third to the family. However, such a regulation is only a rule of guidance and is not enforceable as law. Where the members of the family belong to the same church and agree to be bound by it, the regulation is enforceable. If not, the personal law of the deceased governs the distribution.

300. The courts also have sought to mitigate the effects of the customary law rules relating to the rights of widows and children. While affirming the customary law position of non-community of property, they have held that children are entitled to live in their deceased father's house, but this was made dependent upon good behaviour. A widow has also been allowed to claim, from the successor, educational and maintenance expenses incurred on behalf of the children.

301. In the case of Deborah Takyiwaa V. Kwaku Adu, the High Court held in 1971 that a divorced customary law wife was entitled to one-half of a cocoa farm jointly cultivated by the husband and herself on a piece of land belonging to her. Even though customary law does not normally conceive of joint interests in property between persons not connected by blood, there is no positive rule against it, and where there is clear evidence that the parties intended to hold the property as joint tenants, the law would given effect to such intention. Where a woman has advanced the money for a house and the property has been conveyed to her husband, the husband has been held to be holding the property as trustee for the wife. However, the courts have generally disallowed a wife's claim to joint property unless her contributions can be proved to have been substantial and to have amounted to more than the normal assistance given to a husband by a wife married under customary law.

C. The marriage of Mohammedans ordinance

302. This ordinance provides for the registration of marriages and divorces among Muslims. The marriage must be registered within a week of its celebration in the presence of the bridegroom, the bride's wali and two witnesses to the marriage. A divorce must also be registered in such like manner.

303. No marriage or divorce by persons who profess Islam is valid unless registered under this ordinance. On the death of a Muslim whose marriage has been duly registered, the succession to his or her property is regulated by Muslim law.

304. Most Muslim marriages are not registered under this ordinance and are regarded as marriages under customary law. The Koran allows a man to marry four wives, and the status of these wives is not unlike the status of wives under customary law. The Koran regulates the rights of the parties, states the grounds for divorce, which is the prerogative of the husband only and lays down what spouses are entitled to inherit. Females are discriminated against, and while a man is entitled to a one-half share of his wife's property should she leave no child, one-quarter if there is one child, and one-eighth where there is more than one child, a woman receives only half these amounts.

D. The marriage ordinance

305. Marriage under this ordinance is monogamous. Any party marrying another person while the marriage subsists is guilty of bigamy, and any child born outside of this marriage is illegitimate. The parties intending to marry must be of full age or, if minors, must have consent of their parents or guardians. They should not be within the prohibited degrees of consanguinity nor should they have been married under customary law to any person other than the person with whom the marriage is to be celebrated.

306. It is usual for the woman married under the ordinance to assume her husband's name and the title of "Mrs". Upon divorce, the husband cannot restrain the wife from using his name although she cannot pledge his credit. The residence of a married woman is that of her husband and where the husband provides suitable accommodation she is bound to cohabit with him. During marriage the wife has a right to maintenance and can pledge his credit. Where there is a willful neglect to provide for or maintain the household, the wife can go to court to enforce this right.

307. Each party is entitled to his separate property and may deal with it as he chooses. The Married Women's Property Ordinance, which sought to grant married women the right to own and control property in their own names, was superfluous since under customary law women have always had this right.

308. Under the ordinance, whatever a wife helps her husband to acquire belongs to him absolutely and her position in relation to that property is the same as that of a wife under customary law.

309. Marriage under the ordinance is terminated by divorce or death. The Matrimonial Causes Act, based on the British Matrimonial Cause Act, lays down the grounds and procedures for divorce. The sole ground for divorce is proof of breakdown beyond reconciliation, and the petition may be presented by the man or the woman. In assessing the fact of breakdown the following may be taken into account:

a) That the respondent has committed adultery and the petitioner finds it intolerable to live with him or her;

b) That the respondent has behaved in such a way that the petitioner cannot reasonably be expected to live with him or her;

c) That the respondent has deserted the petitioner for a continuous period of two years immediately before the petition was presented;

d) That the parties have not lived as man and wife for at least five years immediately preceding the petition and that after diligent effort the parties have been unable to reconcile their differences.

310. There is an in-built procedure for reconciliation and the proceedings may be adjourned for an attempt at reconciliation to be made.

311. There is a bar on the presentation of a petition for divorce within two years of marriage, except on the grounds of substantial hardship suffered by the petitioner or depravity on the respondent's side.

312. A petition may also be presented for a decree annulling the marriage on the grounds that it is void or voidable.

313. A marriage may be voidable on any of the following grounds:

a) That the marriage has not been consummated owing to the willful refusal of the respondent to do so;

b) That at the time of the marriage either party was of unsound mind or subject to recurrent attacks of insanity;

c) That at the time of the marriage the woman was pregnant by some other person;

d) That at the time of the marriage the respondent was suffering from incurable and communicable venereal disease.

314. A decree of nullity will be granted if the petitioner was ignorant of these facts and institutes proceedings within a year of marriage, and marital intercourse with the consent of the petitioner has not taken place since the petitioner discovered the facts. Where the decree is granted, any child of the parties is deemed to have the same status and rights as if the marriage of his parents had been dissolved.

315. Where the marriage is dissolved the court may order either spouse to maintain the other or convey some moveable or immovable property as settlement of the property rights, or in lieu of them, or as part of the financial provision as the court thinks just and equitable. Where one party remarries he or she is no longer entitled to the financial provision. Where there are children the court can make any order concerning them which is reasonable and for their

benefit. Any gift or appointment in favour of one spouse in the will of the other is invalidated if the marriage is terminated by divorce or annulment.

Specific measures taken by Government towards elimination of discrimination against women in matters relating to marriage and family

316. Upon submission of proposals for the reform of a draft intestate succession decree, the registration of marriage with special reference to customary marriages; the abolition of customary funeral rites that cause hardship and cruelty to widows and widowers by the Law Reform Commission; the four PNDC Laws on Intestate Succession, the Registration of Marriages and Divorces, Head of Family Accountability and the Administration of Estates (Amendment) were promulgated in 1985. The Law on Intestate Succession of 1985 (PNDC L.III) for instance has helped to remove some anomalies in the old customary law relating to intestate succession and has also provided a uniform intestate succession law that will be applicable throughout the Country irrespective the class of the intestate and the type of marriage contracted by him or her. It has also resulted in removing some tension between the nuclear family and the traditional extended family unit in the area of devolution of property upon death intestate of a member of both units. This law provides that on the death intestate of any person married under PNDC L. iii, the Marriage Ordinance (CAP 127) or Marriage of Mohammedans Ordinance (CAP 129). The PNDC L. III will operate regarding the dissolution of the deceased spouse's property.

317. The customary law conception of marriage did not regard a wife as part of the husband's economic unit. There the wife's claim on the husband's property was also limited. As part of the increasing importance of the nuclear family, there is a movement towards involving the wife into the husband's economic activities. There is a corresponding weaken of the extended family.

318. That group is therefore less likely to be able to support widows who are members of the family. It is only right that the husband with whom the woman has lived and whom she has probably served, is the person on whose property she must depend after his death.

319. Other important pieces of legislation have included the Criminal Code (Amendment) law, 1984, PNDC L. 90, which makes it an offence for any person to compel a bereaved spouse or a relative of a bereaved spouse to undergo any custom or practice that is cruel in nature or that is immoral or grossly indecent; the Criminal Code (Amendment) Law, 1985, PNDC L. 102 which substantially amends the law on abortion; the Customary Marriage and Divorce (Registration) Law, 1985, PNDC L. 112, which seeks to secure the interests of women married under customary law, and several others.

320. Any customary marriage or divorce must now be registered under PNDC L.112. It is to enable the provision of the Intestate Succession Law (PNDC L.II) to such a registered customary marriage as well as all other registered forms of marriage.

Conclusion

321. It will take sometime for the effects of these various measures and programmes taken to enhance the status of women to be felt and effectively measured. A comprehensive research on the impact of the implementation of the Convention on Elimination of All Forms of Discrimination Against Women on the lives of women in future is necessary.

322. International support and the commitment of Ghanaian men to the cause of women in development can significantly expedite this process and contribute to the establishment of a sound basis for sustainable development. Once this has been achieved it is hoped that all forms of discriminatory practices against women would eventually be removed.

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